



Multnomah County Oregon

Board of Commissioners & Agenda

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BOARD OF COMMISSIONERS

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MAY 18 THRU 21, 2009

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	6:00 p.m. Monday Public Budget Hearing
Pg 2	9:00 a.m. Tuesday Administrative Briefing
Pg 3	9:00 a.m. Wednesday Budget Work Session
Pg 4	9:30 a.m. Thursday Public Comment
Pg 4	9:40 a.m. Thursday Recognizing the Work of the Oregon Human Trafficking Task Force and Supporting the Oregonians Against Trafficking Humans Campaign
Pg 4	9:55 a.m. Thursday Approving a Memorandum of Understanding Regarding Oregon State House Bill 3056
Pg 4	10:15 a.m. Thursday Agreement with the City of Troutdale for Land Use Planning Responsibilities within the City Inside the National Scenic Area

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 21
Saturday, 10:00 AM, Channel 29
Sunday, 11:00 AM, Channel 30
Tuesday, 8:15 PM, Channel 29

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Monday, May 18, 2009 - 6:00 PM
Immigrant and Refugee Community Organization (IRCO) Gymnasium
10301 NE Glisan, Portland

PUBLIC BUDGET HEARING

PH-3 Public Hearing on the 2009-2010 Multnomah County Budget Hosted by the Coalition of Communities of Color. Testimony is limited to three minutes per person. Fill out a speaker form available in the Gym and turn it into the Board Clerk.

CABLE PLAYBACK INFO:

(East County Only)

Friday, May 23 - 5:00 PM Channel 29

Tuesday, May 19, 2009 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

B-1 Administrative Review Report – “An Agenda for Business Re-Engineering”. Presented by Jana McLellan, Chief Operating Officer and Carol Ford, Director, Department of County Management. 45 MINUTES REQUESTED.

CABLE PLAYBACK INFO:

(East County Only)

Tuesday, May 19 - 9:00 AM LIVE Channel 29

Friday, May 22 - 8:00 PM Channel 29

Saturday, May 23 - 2:00 PM Channel 29

Sunday, May 24 - 11:00 AM Channel 29

Wednesday, May 20, 2009 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BUDGET WORK SESSION

WS-2 This work session will provide the Board with its first opportunity to begin deliberation on proposed amendments to date. Representatives from the departments will be available to provide a short summary of what the proposed funding would purchase and to answer any additional questions. **This meeting is open to the public however no public testimony will be taken. 3 HOURS REQUESTED.**

CABLE PLAYBACK INFO:

(East County Only)

Wednesday, May 20 - 9:00 AM LIVE Channel 29

Saturday, May 23 - 7:00 PM Channel 29

Sunday, May 24 - 8:00 PM Channel 29

Monday, May 25 - 8:00 PM Channel 29

Thursday, May 21, 2009 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

SHERIFF'S OFFICE

- C-1 RESOLUTION Authorizing the Sheriff to Dispose of Unclaimed Property Pursuant to Multnomah County Code Chapter 15.650-15.656 for Firearm Disposal

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-2 BUDGET MODIFICATION DCHS-39 Reclassifying One Office Assistant 2 Position to a Health Information Tech Position in the Mental Health and Addiction Services Division's Medical Records, as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA
PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

SHERIFF'S OFFICE – 9:30 AM

- R-1 Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Sections 15.700-15.760 Relating to Alarm Systems
- R-2 RESOLUTION Establishing Fees and Charges for Chapter 15, Sheriff, of the Multnomah County Code and Repealing Resolution No. 04-118

NON-DEPARTMENTAL - 9:35 AM

- R-3 Second Reading and Possible Adoption of an ORDINANCE Repealing Multnomah County Code Sections 29.725 – 29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge-Lighting Committee
- R-4 RESOLUTION Recognizing the Work of the Oregon Human Trafficking Task Force and Supporting the Oregonians Against Trafficking Humans Campaign
- R-5 RESOLUTION Approving a Memorandum of Understanding Regarding Oregon State House Bill 3056
- R-6 NOTICE OF INTENT to Apply to U.S. Department of Energy through the Clean Cities Program for a Grant Funded through the American Recovery and Reinvestment Act in the Amount of \$1,069,970.00

DEPARTMENT OF COMMUNITY SERVICES – 10:10 AM

- R-7 First Reading of a Proposed Special ORDINANCE Designating Disposition of Tax Foreclosed Property and Declaring an Emergency
- R-8 Intergovernmental Agreement with the City of Troutdale for Land Use Planning Responsibilities within the Portion of the City Inside the National Scenic Area

COUNTY ATTORNEY'S OFFICE – 10:25 AM

- R-9 First Reading of a Proposed ORDINANCE Amending the County Comprehensive Framework Plan, Community Plans, Rural Area Plans, Sectional Zoning Maps, and Zoning Code Chapters to Adopt Portland City Code Titles 17.38, 24.50 and 24.70 in Compliance with IGA and Metro's Functional Plan

DEPARTMENT OF COUNTY MANAGEMENT – 10:30 AM

- R-10 BUDGET MODIFICATION DCM-12 Appropriating \$3,700,000 General Fund Contingency Transfer for DCM Facilities for Downtown Courthouse Repair Projects and Tunnel Easement [Rescheduled from April 16, 2009]

DEPARTMENT OF COMMUNITY JUSTICE – 10:40 AM

- R-11 BUDGET MODIFICATION DCJ-17 Appropriating \$7,296 from the Juvenile Justice Advisory Committee Title II Formula Grant to Provide Culturally Specific Mentoring Services

DEPARTMENT OF COUNTY HUMAN SERVICES – 10:45 AM

- R-12 BUDGET MODIFICATION DCHS-35 Increasing Department of County Human Service's Community Services Division Budget by \$26,988 for the Energy Services Program
- R-13 BUDGET MODIFICATION DCHS-38 Increasing Aging and Disabilities Services Division Federal/State Appropriation by \$15,000, in Additional Funding of a One-Time Only Grant from the National Association of Area Agencies on Aging, Digital TV: Keeping Seniors Connected

BOARD COMMENT

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 05/12/09

Agenda Title: **RESOLUTION Authorizing the Sheriff to Dispose of Unclaimed Property Pursuant to Multnomah County Code Chapter 15.650-15.656 for Firearm Disposal**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	May 21, 2009	Amount of Time Needed:	NA
Department:	Sheriff's Office	Division:	Business Services
Contact(s):	Chris Payne/Wanda Yantis		
Phone:	503-251-2501	Ext.:	
Presenter(s):	Consent Calendar		
	I/O Address:	313/118/Payne	

General Information

1. What action are you requesting from the Board?

To comply with Multnomah County Code 15.650, the Sheriff's Office is requesting this list of property be disposed of as provided for within the listed ordinance.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Through the course of Law Enforcement service provision (investigations, calls for service, etc.) Deputies from the Sheriff's Office sometimes take firearms into their possession. The Sheriff's Office uses due diligence in attempting to locate the rightful owner(s). After 30 days, Multnomah County Code 15.650 provides for the Sheriff to seek authorization from the Board to dispose of unclaimed property through: transfer to law enforcement or government agencies; offered for sale; or disposal through destruction. In the case of firearms, the Sheriff's Office policy is to always seek destruction.

All of these firearms have been in the Sheriff's possession for over 90 days. The firearms consist of handguns, long rifles, shotguns, automatic rifles, pellet and BB guns, totaling 166 weapons. These firearms are from closed cases (mostly drug seizures), firearms turned-in by owners for disposal, or

recovered stolen firearms in which we were unable to find an owner.

The Sheriff's Office will transfer the following six (6) shotguns to the MCSO Training Unit for Officer Training purposes.

List #	Case File #	Description
17	04-404812	Remington Shotgun, 12ga
37	04-406346	Remington Shotgun, 12ga
64	07-405168	Remington Shotgun, 12ga
115	09-400178	Remington Shotgun, 12ga
144	05-402143	Remington Shotgun, 12ga
162	05-401911	Remington Shotgun, 12ga

3. Explain the fiscal impact (current year and ongoing).

This action has no fiscal impact.

4. Explain any legal and/or policy issues involved.

None.

5. Explain any citizen and/or other government participation that has or will take place.

None.

Required Signature

Elected Official or
Department/
Agency Director:

/s/ *Bob Skipper / L.A.*

Date: 05/12/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Sheriff to Dispose of Unclaimed Property Pursuant to Multnomah County Code Chapter 15.650-15.656

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Sheriff has had in his possession unclaimed property, identified as List 09-1 attached hereto, for a period in excess of 30 days. All attempts to establish the rightful owners have proven negative.
- b. Multnomah County Code Chapter 15.650-15.656 provides for the Sheriff to seek authorization from the Board of County Commissioners to dispose of unclaimed property by transfer to law enforcement or government agencies; offered for sale; or disposal through destruction. The Ordinance further allows for the transfer of property to the Multnomah County Sheriff for the use by the Sheriff's Office.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Sheriff is authorized to dispose through destruction those items identified on List 09-1 with the exception of items number 17, 37, 64, 115, 144, and 162 which are Remington 12ga shotguns.
2. The Sheriff is authorized to transfer items number 17, 37, 64, 115, 144, and 162 on List 09-1 to the Sheriff's Office Training Unit for officer training purposes.

ADOPTED this 21st day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Bob Skipper, Multnomah County Sheriff

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

NO.	CASE NUMBER	PROPERTY DESCRIPTION	SERIAL NUMBER	REMARKS/NOTES	REASON	DISPOSITION
1	04-401280	Colt .45 cal. Handgun	831761	Safekeeping	Safekeeping	Destroy
2	04-401897	Glock 19, 9mm	DMK157US	Evidence	Confiscated	Destroy
3	04-402709	Derrango handgun	115471	Evidence	Confiscated	Destroy
4	04-402709	Ruger handgun, .45 auto	661-41904	Evidence	Confiscated	Destroy
5	04-403806	Pistol, Grendel, 380 cal	28263	Evidence	Confiscated	Destroy
6	04-404028	Handgun, .25 cal	3015358	Evidence	Confiscated	Destroy
7	04-404071	Rifle, Remington, .308 /742	10502	Evidence	Confiscated	Destroy
8	04-404088	Glock 29 pistol	ELU972	Evidence	Confiscated	Destroy
9	04-404175	PM-11, 9mm	94-0004068	Evidence	Confiscated	Destroy
10	04-404175	William Arms, 9 mm Luger, Jerry model	881250	Evidence	Confiscated	Destroy
11	04-404175	Excel rifle	468E	Evidence	Confiscated	Destroy
12	04-404175	VEPR, 762x39, russian	UNK	Evidence	Confiscated	Destroy
13	04-404272	Shotgun, Remington, 1100 Lt-20	N763327K	Evidence	Confiscated	Destroy
14	04-404495	Jennings, 9mm	1449099	Evidence	Confiscated	Destroy
15	04-404596	S&W, model 3913	VAT3324	Evidence	Confiscated	Destroy
16	04-404704	Daisy Rogers pellet gun, model Powerline 1200 co	4147152	Safekeeping	Safekeeping	Destroy
17	04-404812	Remington shotgun 870, 12 ga.	B835858M	Safekeeping	Safekeeping	MCSO-Training Unit
18	04-404837	BB handgun	UNK	Safekeeping	Safekeeping	Destroy
19	04-404837	BB rifle	UNK	Safekeeping	Safekeeping	Destroy
20	04-404943	Taurus .38 spc. Revolver handgun	M182331	Safekeeping	Safekeeping	Destroy
21	04-405032	S&W handgun, .357 mag	31930	Evidence	Confiscated	Destroy
22	04-405032	Ruger .22 cal handgun	21-08249	Evidence	Confiscated	Destroy
23	04-405361	Rifle, British #303	UNK	Confiscated/Evidence	Confiscated	Destroy
24	04-405361	Remington rifle, .22 cal	3028428	Confiscated/Evidence	Confiscated	Destroy
25	04-405732	Glock .40	BBT887	Evidence	Confiscated	Destroy
26	04-405732	Norinco 7.62	94103176	Evidence	Confiscated	Destroy
27	04-405732	Parker Bros, 12 ga, double barrel	99289	Evidence	Confiscated	Destroy
28	04-405732	Magnum 12 ga shotgun	371641445	Evidence	Confiscated	Destroy
29	04-405732	Mossburg, .22 SL, model 340KA	UNK	Evidence	Confiscated	Destroy
30	04-405732	Redfiel rifle w/ scope	UNK	Evidence	Confiscated	Destroy
31	04-405732	Savage, .22LR	115431	Evidence	Confiscated	Destroy
32	04-405732	Sears Roebuck, .22 LR	D438684	Evidence	Confiscated	Destroy
33	04-406006	Python Siwar, 380 cal. Revolver started pistol	UNK	Evidence	Confiscated	Destroy
34	04-406346	Hi Standard, model B, .22 cal, semi auto pistol	60422	Evidence	Confiscated	Destroy
35	04-406346	Colt .38 spc. Revolver	781321	Evidence	Confiscated	Destroy
36	04-406346	Ruger .22 cal, semi auto pistol	219801	Evidence	Confiscated	Destroy
37	04-406346	Remington shotgun, 12 ga.	W748666M	Evidence	Confiscated	MCSO-Training Unit

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

38	04-406346	Winchester model 94-30, rifle	392891	Evidence	Confiscated	Destroy
39	04-406346	Winchester .308 rifle	422494	Evidence	Confiscated	Destroy
40	04-406346	Savage .22 cal rifle, model 6A	UNK	Evidence	Confiscated	Destroy
41	04-406346	Springfield .22 cal., model 87A, rifle	UNK	Evidence	Confiscated	Destroy
42	04-406346	Taurus .38 spc., semi auto pistol	KNF87262	Evidence	Confiscated	Destroy
43	04-406346	Winchester 12 ga. Shotgun, model 50	7946	Evidence	Confiscated	Destroy
44	04-406590	Ruger P94 40 cal. Pistol	340-84820	Evidence	Confiscated	Destroy
45	04-406933	Jennings, model J22, .22 cal	UNK	Evidence	Confiscated	Destroy
46	04-407128	S&W, .357 revolver, model 66-4	BSW2396	Evidence	Confiscated	Destroy
47	04-407244	Bushmaster, carbon-15, .56 cal.	D04093	Evidence	Confiscated	Destroy
48	04-407292	Marlin .22 cal. Rifle, model 60	17355274	Confiscated	Confiscated	Destroy
49	04-407292	S&W .357 pistol, model 28-2	N284468	Confiscated	Confiscated	Destroy
50	04-407344	J. Stevens Arms & Tool Co., 12 ga. Shotgun, model 235	A9489	Evidence	Confiscated	Destroy
51	04-407423	Marlin .22 cal. Rifle, model 60	98450438	Confiscated	Confiscated	Destroy
52	04-407917	Shotgun, Western Field, XNH-480-C (410a)	UNK	Evidence	Confiscated	Destroy
53	04-408176	Pistol, Springfield Armory, .45 cal	NMC10600	Confiscated/Evidence	Confiscated	Destroy
54	04-408239	Revolver, hand gun, 6 shot, Hortons & Allen, .38 cal	UNK	Confiscated/Evidence	Confiscated	Destroy
55	04-408279	Revolver, S&W .357	4K73542	Confiscated/Evidence	Confiscated	Destroy
56	07-401559	Savage .22 Rifle, Mark II, w/ BSA Scope	645397	Found	Found	Destroy
57	07-403346	Crossman Pellet Pistol, .357	1422433	Confiscated	Confiscated	Destroy
58	07-403380	Marksman Repeater BB gun	94539735	Safekeeping	Safekeeping	Destroy
59	07-403989	Shotgun, Harrington & Richardson Inc.	AU489233	Confiscated	Confiscated	Destroy
60	07-404802	Revolver, Iver Johnson, .22 cal	10377	Safekeeping	Safekeeping	Destroy
61	07-404802	Revolver, Iver Johnson, .38 cal	18179	Safekeeping	Safekeeping	Destroy
62	07-404875	Russian, .380 auto pistol, IJ70-17A	H00899	Confiscated	Confiscated	Destroy
63	07-405168	Colt, New Agent, Series 90	GT01238	Safekeeping	Safekeeping	Destroy
64	07-405168	Remington, 870 Express Magnum, 12 ga.	D050963M	Safekeeping	Safekeeping	MCSO-Training Unit
65	07-405175	Airweight revolver, .38 Spc. Pistol, S&W, model #38	J502646	Safekeeping	Safekeeping	Destroy
66	07-405335	Shotgun, Country Squire, 12 ga	G493687	Safekeeping	Safekeeping	Destroy
67	05-405494	Winchester Remington Woodsmaster .308, model 740	136917	Found	Found	Destroy
68	05-405494	Golden State Arms Co., 30.06 rifle (1947 model)	L239	Found	Found	Destroy
69	05-405494	Ruger, 1022 model	238-29006	Found	Found	Destroy
70	07-405510	Remington 30.06 bolt rifle, model 700	B6601368	Safekeeping	Safekeeping	Destroy
71	07-405510	Marlin .22 cal. Rifle, model 60	6131462	Safekeeping	Safekeeping	Destroy
72	07-405510	Marlin, 30.06 rifle, model 30AS	5046525	Safekeeping	Safekeeping	Destroy
73	07-405510	Winchester 12 ga. Shotgun, model 140	N942670	Safekeeping	Safekeeping	Destroy
74	07-405510	Benjamin .20 cal. Pump pellet rifle	998703129	Safekeeping	Safekeeping	Destroy
75	07-405540	Ruger .22 cal. Revolver	58832	Safekeeping	Safekeeping	Destroy
76	07-405540	Crossman airgun, BB gun	UNK	Safekeeping	Safekeeping	Destroy

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

77	07-405540	Marksman Repeater BB gun	1008059	Safekeeping	Safekeeping	Destroy
78	07-405540	American Classic BB gun, model 1377	201B22255	Safekeeping	Safekeeping	Destroy
79	07-405540	Daisy, rifle BB gun, model 111B	UNK	Safekeeping	Safekeeping	Destroy
80	07-406751	Harrington & Richardson, 20 ga., sawed off, model 88	AX544991	Confiscated	Confiscated	Destroy
81	07-406751	Winchester, 30 cal. Rifle, model 94	987347	Confiscated	Confiscated	Destroy
82	07-406751	Sears .22 cal. Rifle, model 11-103	UNK	Confiscated	Confiscated	Destroy
83	07-406751	Remington 12 ga. Shotgun, model 31	76263	Confiscated	Confiscated	Destroy
84	08-401018	S&W, .45 cal. Semi auto pistol, model 4566TSW	BAW0844	Evidence	Confiscated	Destroy
85	08-404021	.270 Rifle, Centurion	UNK	MEO Turn In	Confiscated	Destroy
86	08-404021	.22 cal Rifle, Amadeo Ross	G252551	MEO Turn In	Confiscated	Destroy
87	08-404021	20 g Shotgun, Savage, 30 f	UNK	MEO Turn In	Confiscated	Destroy
88	08-404021	38 cal Revolver, S&W, model 642	DAK780	MEO Turn In	Confiscated	Destroy
89	08-404021	38 cal Revolver, Rossi	AA185315	MEO Turn In	Confiscated	Destroy
90	08-404021	.22 cal Revolver, Sturn Ruger	52627	MEO Turn In	Confiscated	Destroy
91	08-404021	38 cal Revolver, S&W, 5 shot	CDK0848	MEO Turn In	Confiscated	Destroy
92	08-404021	38 cal Handgun, Taurus, 5 shot	1316	MEO Turn In	Confiscated	Destroy
93	08-404021	Handgun, HPSAS, 9 mm	511MZ50055	MEO Turn In	Confiscated	Destroy
94	08-404021	Revolver, .38 special, S&W	280088	MEO Turn In	Confiscated	Destroy
95	08-404021	Revolver, .357 cal, S&W	BNR8979	MEO Turn In	Confiscated	Destroy
96	08-404021	Revolver, Rossi, .38 special	D717311	MEO Turn In	Confiscated	Destroy
97	08-404021	Auto Handgun, Raven Arms, 25 cal	UNK	MEO Turn In	Confiscated	Destroy
98	08-404021	Auto Handgun, Springhill, .45 cal	NM142228	MEO Turn In	Confiscated	Destroy
99	08-404021	Revolver, Taurus, .44 cal	V1979173	MEO Turn In	Confiscated	Destroy
100	08-404021	Revolver, Ruger, .357 cal	154-09344	MEO Turn In	Confiscated	Destroy
101	08-404021	Auto Handgun, Beretta, 40 cal, model 804SF	082342MC	MEO Turn In	Confiscated	Destroy
102	08-406436	S&W handgun, .22 cal., model 18-4	98K0518	Confiscated	Confiscated	Destroy
103	09-400178	Ruger Bearcat, semi auto	1636	Confiscated	Confiscated	Destroy
104	09-400178	Sig Sauer .45, semi auto	G280025	Confiscated	Confiscated	Destroy
105	09-400178	Colt .38 Spc.	B09399	Confiscated	Confiscated	Destroy
106	09-400178	S&W, .32 cal. Revolver	A709083	Confiscated	Confiscated	Destroy
107	09-400178	.44 Magnum	1960-4	Confiscated	Confiscated	Destroy
108	09-400178	Fratelli, .22 cal. Revolver	CAT-885	Confiscated	Confiscated	Destroy
109	09-400178	S&W .38 Spc	435207	Confiscated	Confiscated	Destroy
110	09-400178	Para-Ordinance .45 cal.	RL-1412	Confiscated	Confiscated	Destroy
111	09-400178	Mossburg, 12 ga. Shotgun	P334385	Confiscated	Confiscated	Destroy
112	09-400178	J.C. Higgins 12 ga. Shotgun	UNK	Confiscated	Confiscated	Destroy
113	09-400178	Revolver	51365	Confiscated	Confiscated	Destroy
114	09-400178	9 mm handgun	A020819	Confiscated	Confiscated	Destroy
115	09-400178	Remington 12 ga. Shotgun	14975V	Confiscated	Confiscated	MCSO-Training Unit

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

116	09-400178	Ruger Magnum .357	32-07364	Confiscated	Confiscated	Destroy
117	09-400178	Remington .22 cal. Rifle, model 514	UNK	Confiscated	Confiscated	Destroy
118	09-400178	30.06 rifle w/ scope	UNK	Confiscated	Confiscated	Destroy
119	09-400178	Marlin .22 cal. Rifle w/ scope	98607557	Confiscated	Confiscated	Destroy
120	09-400178	Winchester 12 ga.	L1842072	Confiscated	Confiscated	Destroy
121	09-400178	Arsenal 7.62 cal. Rifle	BD-37-0821	Confiscated	Confiscated	Destroy
122	09-400178	Marlin .22 cal long rifle	986-00704	Confiscated	Confiscated	Destroy
123	09-400178	Escort 12 ga. Shotgun	119408	Confiscated	Confiscated	Destroy
124	09-400178	Beretta .22 cal. Handgun	34214	Confiscated	Confiscated	Destroy
125	09-400178	F.I.E. .380 handgun	BH3599	Confiscated	Confiscated	Destroy
126	09-400178	Jennings .22 cal. Pistol, model J-22	169399	Confiscated	Confiscated	Destroy
127	70-19244	.22 cal high standard	1423728	Recoverd Stolen	Recoverd Stolen	Destroy
128	07-402863	9mm short handgun, Feg. Hungry	AA3329	Turn In For Destruction	Safekeeping	Destroy
129	07-401962	12 ga. Mossburg pump shotgun	R555096	Evidence	Confiscated	Destroy
130	07-401962	.308 Mossburg rifle	11396	Evidence	Confiscated	Destroy
131	07-401962	.357 S&W revolver pistol	4K53575	Evidence	Confiscated	Destroy
132	06-404945	S&W 40 cal., model 6904	TCM1696	Turn In For Destruction	Safekeeping	Destroy
133	09-402069	.22 cal. handgun, Schmidt Ostheim/Rhoen, HS model 21S	595113	Turn In For Destruction	Safekeeping	Destroy
134	09-402068	.22 cal. handgun, RG Industries 14	L655564	Turn In For Destruction	Safekeeping	Destroy
135	09-402068	.38 S&W, model 42	21928	Turn In For Destruction	Safekeeping	Destroy
136	09-402068	.22 cal., High standard delux mfg.	1787166	Turn In For Destruction	Safekeeping	Destroy
137	05-402828	410 ga., Harrington & Richardson shotgun, model #490	AM335375	Evidence	Confiscated	Destroy
138	05-402828	30-30 rifle, Winchester, model #94	2167410	Evidence	Confiscated	Destroy
139	05-402828	Rifle, Norinco SKS	E6689B9	Evidence	Confiscated	Destroy
140	05-402828	Rifle, bolt action, inknown cal.	V6454	Evidence	Confiscated	Destroy
141	05-402828	12 ga. Shotgun, Marlin, model #120	A49226	Evidence	Confiscated	Destroy
142	05-402913	.32 cal., Davis P-32	PO32544	Evidence	Confiscated	Destroy
143	05-402913	12 ga. Shotgun, Mossburg, model #500A	R334197	Evidence	Confiscated	Destroy
144	05-402143	12 ga. Shotgun, Remington pump, model #870 Wingmaster	V255077V	Evidence	Confiscated	MCSO-Training Unit
145	05-402143	.38 handgun/revolver, model RG-31	15513	Evidence	Confiscated	Destroy
146	05-404437	.22 rifle, JC Higgins-31, disabled	Not Found	Held for owner	Safekeeping	Destroy
147	09-402620	12 ga. Shotgun, Westernfield, M550AL	H052329	Turn In For Destruction	Safekeeping	Destroy
148	06-402383	40 cal. Handgun, Firestar, Interarms	2034772	Evidence	Confiscated	Destroy
149	08-402098	P-380 Auto handgun, Davis Industries	AP337667	Turn In For Destruction	Safekeeping	Destroy
150	08-401164	Rifle, Remington 03-A3	3456613	Turn In For Destruction	Safekeeping	Destroy
151	05-402271	.22 cal. Handgun, Davis, Derringer	413793	Evidence	Confiscated	Destroy
152	05-402242	.12 ga. Shotgun, Westernfield, mod. #M55013	G438640	Evidence	Confiscated	Destroy
153	05-402242	Pellet gun, Crossman	N/A	Evidence	Confiscated	Destroy
154	05-402242	32 auto, Davis, mod. #P32	P189907	Evidence	Confiscated	Destroy

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

155	08-400455	Rifle, bolt action, Winchester, 67-22 short	Unk	Found	Safekeeping	Destroy
156	02-403127	.22 rifle, Ryger, 10/22 carbine, stock cut in half	129-07169	Evidence	Confiscated	Destroy
157	01-406044	.32 cal, semi auto pistol, Savage Arms Co.	1405	Evidence	Confiscated	Destroy
158	02-400562	Glock 17 9mm handgun	BBC657	Found	Safekeeping	Destroy
159	02-400427	.38 cal. Revolver	ST17242	Evidence	Confiscated	Destroy
160	00-403410	9mm Luger, Intratec	MOA AB-10	Evidence	Confiscated	Destroy
161	05-401911	.357 S&W revolver handgun	ANE6266	Evidence	Confiscated	Destroy
162	05-401911	Remington 870 shotgun	D600658m	Evidence	Confiscated	MCSO-Training Unit
163	05-402421	.38 cal revolver, Special, Taurus	1C66455	Recovered Property	Safekeeping	Destroy
164	05-401378	Remington shotgun 11-87	PC044241	Evidence	Confiscated	Destroy
165	69-14923	Winchester Rifle, Cal. 243	359905	Recovered Property	Insurance Co. wants destroyed	Destroy
166	71-18410	Mossberg, Rifle .308 Cal	260003	Recovered Property	Owners Deceased	Destroy

Updated: 5/11/09 /cpayne

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-057

Authorizing the Sheriff to Dispose of Unclaimed Property Pursuant to Multnomah County Code Chapter 15.650-15.656

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Sheriff has had in his possession unclaimed property, identified as List 09-1 attached hereto, for a period in excess of 30 days. All attempts to establish the rightful owners have proven negative.
- b. Multnomah County Code Chapter 15.650-15.656 provides for the Sheriff to seek authorization from the Board of County Commissioners to dispose of unclaimed property by transfer to law enforcement or government agencies; offered for sale; or disposal through destruction. The Ordinance further allows for the transfer of property to the Multnomah County Sheriff for the use by the Sheriff's Office.

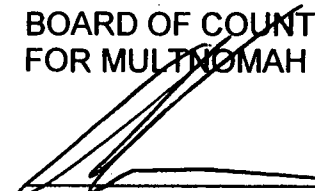
The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Sheriff is authorized to dispose through destruction those items identified on List 09-1 with the exception of items number 17, 37, 64, 115, 144, and 162 which are Remington 12ga shotguns.
2. The Sheriff is authorized to transfer items number 17, 37, 64, 115, 144, and 162 on List 09-1 to the Sheriff's Office Training Unit for officer training purposes.

ADOPTED this 21st day of May, 2009.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Bob Skipper, Multnomah County Sheriff

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

NO.	CASE NUMBER	PROPERTY DESCRIPTION	SERIAL NUMBER	REMARKS/NOTES	REASON	DISPOSITION
1	04-401280	Colt .45 cal. Handgun	831761	Safekeeping	Safekeeping	Destroy
2	04-401897	Glock 19, 9mm	DMK157US	Evidence	Confiscated	Destroy
3	04-402709	Derrango handgun	115471	Evidence	Confiscated	Destroy
4	04-402709	Ruger handgun, .45 auto	661-41904	Evidence	Confiscated	Destroy
5	04-403806	Pistol, Grendel, 380 cal	28263	Evidence	Confiscated	Destroy
6	04-404028	Handgun, .25 cal	3015358	Evidence	Confiscated	Destroy
7	04-404071	Rifle, Remington, .308 /742	10502	Evidence	Confiscated	Destroy
8	04-404088	Glock 29 pistol	ELU972	Evidence	Confiscated	Destroy
9	04-404175	PM-11, 9mm	94-0004068	Evidence	Confiscated	Destroy
10	04-404175	William Arms, 9 mm Luger, Jerry model	881250	Evidence	Confiscated	Destroy
11	04-404175	Excel rifle	468E	Evidence	Confiscated	Destroy
12	04-404175	VEPR, 762x39, russian	UNK	Evidence	Confiscated	Destroy
13	04-404272	Shotgun, Remington, 1100 Lt-20	N763327K	Evidence	Confiscated	Destroy
14	04-404495	Jennings, 9mm	1449099	Evidence	Confiscated	Destroy
15	04-404596	S&W, model 3913	VAT3324	Evidence	Confiscated	Destroy
16	04-404704	Daisy Rogers pellet gun, model Powerline 1200 co	4147152	Safekeeping	Safekeeping	Destroy
17	04-404812	Remington shotgun 870, 12 ga.	B835858M	Safekeeping	Safekeeping	MCSO-Training Unit
18	04-404837	BB handgun	UNK	Safekeeping	Safekeeping	Destroy
19	04-404837	BB rifle	UNK	Safekeeping	Safekeeping	Destroy
20	04-404943	Taurus .38 spc. Revolver handgun	M182331	Safekeeping	Safekeeping	Destroy
21	04-405032	S&W handgun, .357 mag	31930	Evidence	Confiscated	Destroy
22	04-405032	Ruger .22 cal handgun	21-08249	Evidence	Confiscated	Destroy
23	04-405361	Rifle, British #303	UNK	Confiscated/Evidence	Confiscated	Destroy
24	04-405361	Remington rifle, .22 cal	3028428	Confiscated/Evidence	Confiscated	Destroy
25	04-405732	Glock .40	BBT887	Evidence	Confiscated	Destroy
26	04-405732	Norinco 7.62	94103176	Evidence	Confiscated	Destroy
27	04-405732	Parker Bros, 12 ga, double barrel	99289	Evidence	Confiscated	Destroy
28	04-405732	Magnum 12 ga shotgun	371641445	Evidence	Confiscated	Destroy
29	04-405732	Mossburg, .22 SL, model 340KA	UNK	Evidence	Confiscated	Destroy
30	04-405732	Redfiel rifle w/ scope	UNK	Evidence	Confiscated	Destroy
31	04-405732	Savage, .22LR	115431	Evidence	Confiscated	Destroy
32	04-405732	Sears Roebuck, .22 LR	D438684	Evidence	Confiscated	Destroy
33	04-406006	Python Siwar, 380 cal. Revolver started pistol	UNK	Evidence	Confiscated	Destroy
34	04-406346	Hi Standard, model B, .22 cal, semi auto pistol	60422	Evidence	Confiscated	Destroy
35	04-406346	Colt .38 spc. Revolver	781321	Evidence	Confiscated	Destroy
36	04-406346	Ruger .22 cal, semi auto pistol	219801	Evidence	Confiscated	Destroy
37	04-406346	Remington shotgun, 12 ga.	W748666M	Evidence	Confiscated	MCSO-Training Unit

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

38	04-406346	Winchester model 94-30, rifle	392891	Evidence	Confiscated	Destroy
39	04-406346	Winchester .308 rifle	422494	Evidence	Confiscated	Destroy
40	04-406346	Savage .22 cal rifle, model 6A	UNK	Evidence	Confiscated	Destroy
41	04-406346	Springfield .22 cal., model 87A, rifle	UNK	Evidence	Confiscated	Destroy
42	04-406346	Taurus .38 spc., semi auto pistol	KNF87262	Evidence	Confiscated	Destroy
43	04-406346	Winchester 12 ga. Shotgun, model 50	7946	Evidence	Confiscated	Destroy
44	04-406590	Ruger P94 40 cal. Pistol	340-84820	Evidence	Confiscated	Destroy
45	04-406933	Jennings, model J22, .22 cal	UNK	Evidence	Confiscated	Destroy
46	04-407128	S&W, .357 revolver, model 66-4	BSW2396	Evidence	Confiscated	Destroy
47	04-407244	Bushmaster, carbon-15, .56 cal.	D04093	Evidence	Confiscated	Destroy
48	04-407292	Marlin .22 cal. Rifle, model 60	17355274	Confiscated	Confiscated	Destroy
49	04-407292	S&W .357 pistol, model 28-2	N284468	Confiscated	Confiscated	Destroy
50	04-407344	J. Stevens Arms & Tool Co., 12 ga. Shotgun, model 235	A9489	Evidence	Confiscated	Destroy
51	04-407423	Marlin .22 cal. Rifle, model 60	98450438	Confiscated	Confiscated	Destroy
52	04-407917	Shotgun, Western Field, XNH-480-C (410a)	UNK	Evidence	Confiscated	Destroy
53	04-408176	Pistol, Springfield Armory, .45 cal	NMC10600	Confiscated/Evidence	Confiscated	Destroy
54	04-408239	Revolver, hand gun, 6 shot, Hortons & Allen, .38 cal	UNK	Confiscated/Evidence	Confiscated	Destroy
55	04-408279	Revolver, S&W .357	4K73542	Confiscated/Evidence	Confiscated	Destroy
56	07-401559	Savage .22 Rifle, Mark II, w/ BSA Scope	645397	Found	Found	Destroy
57	07-403346	Crossman Pellet Pistol, .357	1422433	Confiscated	Confiscated	Destroy
58	07-403380	Marksman Repeater BB gun	94539735	Safekeeping	Safekeeping	Destroy
59	07-403989	Shotgun, Harrington & Richardson Inc.	AU489233	Confiscated	Confiscated	Destroy
60	07-404802	Revolver, Iver Johnson, .22 cal	10377	Safekeeping	Safekeeping	Destroy
61	07-404802	Revolver, Iver Johnson, .38 cal	18179	Safekeeping	Safekeeping	Destroy
62	07-404875	Russian, .380 auto pistol, IJ70-17A	H00899	Confiscated	Confiscated	Destroy
63	07-405168	Colt, New Agent, Series 90	GT01238	Safekeeping	Safekeeping	Destroy
64	07-405168	Remington, 870 Express Magnum, 12 ga.	D050963M	Safekeeping	Safekeeping	MCSO-Training Unit
65	07-405175	Airweight revolver, .38 Spc. Pistol, S&W, model #38	J502646	Safekeeping	Safekeeping	Destroy
66	07-405335	Shotgun, Country Squire, 12 ga	G493687	Safekeeping	Safekeeping	Destroy
67	05-405494	Winchester Remington Woodsmaster .308, model 740	136917	Found	Found	Destroy
68	05-405494	Golden State Arms Co., 30.06 rifle (1947 model)	L239	Found	Found	Destroy
69	05-405494	Ruger, 1022 model	238-29006	Found	Found	Destroy
70	07-405510	Remington 30.06 bolt rifle, model 700	B6601368	Safekeeping	Safekeeping	Destroy
71	07-405510	Marlin .22 cal. Rifle, model 60	6131462	Safekeeping	Safekeeping	Destroy
72	07-405510	Marlin, 30.06 rifle, model 30AS	5046525	Safekeeping	Safekeeping	Destroy
73	07-405510	Winchester 12 ga. Shotgun, model 140	N942670	Safekeeping	Safekeeping	Destroy
74	07-405510	Benjamin .20 cal. Pump pellet rifle	998703129	Safekeeping	Safekeeping	Destroy
75	07-405540	Ruger .22 cal. Revolver	58832	Safekeeping	Safekeeping	Destroy
76	07-405540	Crossman airgun, BB gun	UNK	Safekeeping	Safekeeping	Destroy

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

77	07-405540	Marksman Repeater BB gun	1008059	Safekeeping	Safekeeping	Destroy
78	07-405540	American Classic BB gun, model 1377	201B22255	Safekeeping	Safekeeping	Destroy
79	07-405540	Daisy, rifle BB gun, model 111B	UNK	Safekeeping	Safekeeping	Destroy
80	07-406751	Harrington & Richardson, 20 ga., sawed off, model 88	AX544991	Confiscated	Confiscated	Destroy
81	07-406751	Winchester, 30 cal. Rifle, model 94	987347	Confiscated	Confiscated	Destroy
82	07-406751	Sears .22 cal. Rifle, model 11-103	UNK	Confiscated	Confiscated	Destroy
83	07-406751	Remington 12 ga. Shotgun, model 31	76263	Confiscated	Confiscated	Destroy
84	08-401018	S&W, .45 cal. Semi auto pistol, model 4566TSW	BAW0844	Evidence	Confiscated	Destroy
85	08-404021	.270 Rifle, Centurion	UNK	MEO Turn In	Confiscated	Destroy
86	08-404021	.22 cal Rifle, Amadeo Ross	G252551	MEO Turn In	Confiscated	Destroy
87	08-404021	20 g Shotgun, Savage, 30 f	UNK	MEO Turn In	Confiscated	Destroy
88	08-404021	38 cal Revolver, S&W, model 642	DAK780	MEO Turn In	Confiscated	Destroy
89	08-404021	38 cal Revolver, Rossi	AA185315	MEO Turn In	Confiscated	Destroy
90	08-404021	.22 cal Revolver, Sturn Ruger	52627	MEO Turn In	Confiscated	Destroy
91	08-404021	38 cal Revolver, S&W, 5 shot	CDK0848	MEO Turn In	Confiscated	Destroy
92	08-404021	38 cal Handgun, Taurus, 5 shot	1316	MEO Turn In	Confiscated	Destroy
93	08-404021	Handgun, HPSAS, 9 mm	511MZ50055	MEO Turn In	Confiscated	Destroy
94	08-404021	Revolver, .38 special, S&W	280088	MEO Turn In	Confiscated	Destroy
95	08-404021	Revolver, .357 cal, S&W	BNR8979	MEO Turn In	Confiscated	Destroy
96	08-404021	Revolver, Rossi, .38 special	D717311	MEO Turn In	Confiscated	Destroy
97	08-404021	Auto Handgun, Raven Arms, 25 cal	UNK	MEO Turn In	Confiscated	Destroy
98	08-404021	Auto Handgun, Springhill, .45 cal	NM142228	MEO Turn In	Confiscated	Destroy
99	08-404021	Revolver, Taurus, .44 cal	V1979173	MEO Turn In	Confiscated	Destroy
100	08-404021	Revolver, Ruger, .357 cal	154-09344	MEO Turn In	Confiscated	Destroy
101	08-404021	Auto Handgun, Beretta, 40 cal, model 804SF	082342MC	MEO Turn In	Confiscated	Destroy
102	08-406436	S&W handgun, .22 cal., model 18-4	98K0518	Confiscated	Confiscated	Destroy
103	09-400178	Ruger Bearcat, semi auto	1636	Confiscated	Confiscated	Destroy
104	09-400178	Sig Sauer .45, semi auto	G280025	Confiscated	Confiscated	Destroy
105	09-400178	Colt .38 Spc.	B09399	Confiscated	Confiscated	Destroy
106	09-400178	S&W, .32 cal. Revolver	A709083	Confiscated	Confiscated	Destroy
107	09-400178	.44 Magnum	1960-4	Confiscated	Confiscated	Destroy
108	09-400178	Fratelli, .22 cal. Revolver	CAT-885	Confiscated	Confiscated	Destroy
109	09-400178	S&W .38 Spc	435207	Confiscated	Confiscated	Destroy
110	09-400178	Para-Ordinance .45 cal.	RL-1412	Confiscated	Confiscated	Destroy
111	09-400178	Mossburg, 12 ga. Shotgun	P334385	Confiscated	Confiscated	Destroy
112	09-400178	J.C. Higgins 12 ga. Shotgun	UNK	Confiscated	Confiscated	Destroy
113	09-400178	Revolver	51365	Confiscated	Confiscated	Destroy
114	09-400178	9 mm handgun	A020819	Confiscated	Confiscated	Destroy
115	09-400178	Remington 12 ga. Shotgun	14975V	Confiscated	Confiscated	MCSO-Training Unit

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

116	09-400178	Ruger Magnum .357	32-07364	Confiscated	Confiscated	Destroy
117	09-400178	Remington .22 cal. Rifle, model 514	UNK	Confiscated	Confiscated	Destroy
118	09-400178	30.06 rifle w/ scope	UNK	Confiscated	Confiscated	Destroy
119	09-400178	Marlin .22 cal. Rifle w/ scope	98607557	Confiscated	Confiscated	Destroy
120	09-400178	Winchester 12 ga.	L1842072	Confiscated	Confiscated	Destroy
121	09-400178	Arsenal 7.62 cal. Rifle	BD-37-0821	Confiscated	Confiscated	Destroy
122	09-400178	Marlin .22 cal long rifle	986-00704	Confiscated	Confiscated	Destroy
123	09-400178	Escort 12 ga. Shotgun	119408	Confiscated	Confiscated	Destroy
124	09-400178	Beretta .22 cal. Handgun	34214	Confiscated	Confiscated	Destroy
125	09-400178	F.I.E. .380 handgun	BH3599	Confiscated	Confiscated	Destroy
126	09-400178	Jennings .22 cal. Pistol, model J-22	169399	Confiscated	Confiscated	Destroy
127	70-19244	.22 cal high standard	1423728	Recoverd Stolen	Recoverd Stolen	Destroy
128	07-402863	9mm short handgun, Feg. Hungry	AA3329	Turn In For Destruction	Safekeeping	Destroy
129	07-401962	12 ga. Mossburg pump shotgun	R555096	Evidence	Confiscated	Destroy
130	07-401962	.308 Mossburg rifle	11396	Evidence	Confiscated	Destroy
131	07-401962	.357 S&W revolver pistol	4K53575	Evidence	Confiscated	Destroy
132	06-404945	S&W 40 cal., model 6904	TCM1696	Turn In For Destruction	Safekeeping	Destroy
133	09-402069	.22 cal. handgun, Schmidt Ostheim/Rhoen, HS model 21S	595113	Turn In For Destruction	Safekeeping	Destroy
134	09-402068	.22 cal. handgun, RG Industries 14	L655564	Turn In For Destruction	Safekeeping	Destroy
135	09-402068	.38 S&W, model 42	21928	Turn In For Destruction	Safekeeping	Destroy
136	09-402068	.22 cal., High standard delux mfg.	1787166	Turn In For Destruction	Safekeeping	Destroy
137	05-402828	410 ga., Harrington & Richardson shotgun, model #490	AM335375	Evidence	Confiscated	Destroy
138	05-402828	30-30 rifle, Winchester, model #94	2167410	Evidence	Confiscated	Destroy
139	05-402828	Rifle, Norinco SKS	E668989	Evidence	Confiscated	Destroy
140	05-402828	Rifle, bolt action, inknown cal.	V6454	Evidence	Confiscated	Destroy
141	05-402828	12 ga. Shotgun, Marlin, model #120	A49226	Evidence	Confiscated	Destroy
142	05-402913	.32 cal., Davis P-32	PO32544	Evidence	Confiscated	Destroy
143	05-402913	12 ga. Shotgun, Mossburg, model #500A	R334197	Evidence	Confiscated	Destroy
144	05-402143	12 ga. Shotgun, Remington pump, model #870 Wingmaster	V255077V	Evidence	Confiscated	MCSO-Training Unit
145	05-402143	.38 handgun/revolver, model RG-31	15513	Evidence	Confiscated	Destroy
146	05-404437	.22 rifle, JC Higgins-31, disabled	Not Found	Held for owner	Safekeeping	Destroy
147	09-402620	12 ga. Shotgun, Westernfield, M55OAL	H052329	Turn In For Destruction	Safekeeping	Destroy
148	06-402383	40 cal. Handgun, Firestar, Interarms	2034772	Evidence	Confiscated	Destroy
149	08-402098	P-380 Auto handgun, Davis Industries	AP337667	Turn In For Destruction	Safekeeping	Destroy
150	08-401164	Rifle, Remington 03-A3	3456613	Turn In For Destruction	Safekeeping	Destroy
151	05-402271	.22 cal. Handgun, Davis, Derringer	413793	Evidence	Confiscated	Destroy
152	05-402242	.12 ga. Shotgun, Westernfield, mod. #M55013	G438640	Evidence	Confiscated	Destroy
153	05-402242	Pellet gun, Crossman	N/A	Evidence	Confiscated	Destroy
154	05-402242	32 auto, Davis, mod. #P32	P189907	Evidence	Confiscated	Destroy

Multnomah County Sheriff's Office - Firearms Disposal List 09-01

155	08-400455	Rifle, bolt action, Winchester, 67-22 short	Unk	Found	Safekeeping	Destroy
156	02-403127	.22 rifle, Ryger, 10/22 carbine, stock cut in half	129-07169	Evidence	Confiscated	Destroy
157	01-406044	.32 cal, semi auto pistol, Savage Arms Co.	1405	Evidence	Confiscated	Destroy
158	02-400562	Glock 17 9mm handgun	BBC657	Found	Safekeeping	Destroy
159	02-400427	.38 cal. Revolver	ST17242	Evidence	Confiscated	Destroy
160	00-403410	9mm Luger, Intratec	MOA AB-10	Evidence	Confiscated	Destroy
161	05-401911	.357 S&W revolver handgun	ANE6266	Evidence	Confiscated	Destroy
162	05-401911	Remington 870 shotgun	D600658m	Evidence	Confiscated	MCSO-Training Unit
163	05-402421	.38 cal revolver, Special, Taurus	1C66455	Recovered Property	Safekeeping	Destroy
164	05-401378	Remington shotgun 11-87	PC044241	Evidence	Confiscated	Destroy
165	69-14923	Winchester Rifle, Cal. 243	359905	Recovered Property	Insurance Co. wants destroyed	Destroy
166	71-18410	Mossberg, Rifle .308 Cal	260003	Recovered Property	Owners Deceased	Destroy

Updated: 5/11/09 /cpayne



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-2 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 05/14/09

BUDGET MODIFICATION: DCHS- 39

**BUDGET MODIFICATION DCHS-39 Reclassifying One Office Assistant 2
Position to a Health Information Tech Position in the Mental Health and
Addiction Services Division's, Medical Records as Determined by the
Class/Comp Unit of Central Human Resources**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>May 21, 2009</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>County Human Services</u>	Division:	<u>Mental Health & Addiction Services</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>988-3691</u>	Ext.	<u>26858</u>
		I/O Address:	<u>167/620</u>
Presenter(s):	<u>Consent Calendar</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-39 reclassifying 1.00 FTE position in Mental Health & Addiction Services (MHASD) Medical Records from Office Assistant 2 (OA2) to Health Information Technician (HIT) as determined by Class/Comp unit of Central Human Resources.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Federal and State compliance requirements have changed, mandating greater emphasis on in-depth quantitative and qualitative review of documentation, coding, and billing processes. Increased scrutiny by the Office of Inspector General of claims for Medicaid and Medicare clients underscores the need for additional technical expertise than is currently available in the Medical Records Department. The knowledge deficit of legal requirements for documentation that supports client

care, coding and billing by current staffing may be putting the department at risk. This risk can be diminished by additional medical record expertise.

These recent changes have shifted traditional OA 2 responsibilities to existing Health Information Technicians. A Health Information Technician can perform OA2 functions, but OA2's are not qualified to fulfill Health Information Technician roles and responsibilities.

This change impacts Program Offer 25052 Mental Health and Addiction Services Medical Records.

3. Explain the fiscal impact (current year and ongoing).

The reclassification request will result in an increase in personnel costs by \$368. The budget for supplies will be reduced to offset the increase in personnel costs. The pay scale for a Health Information Technician is (\$38,148 - \$46,896), while the pay scale for an OA2 is (\$30,130 - \$37,020). Personnel costs will continue to increase over time, as the pay scale for the Health Information Technician is higher than an OA2.

There is no net change in the Mental Health & Addiction Services (MHASD) budget. Service reimbursement from the General fund to the Risk Management fund increases by \$13.

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**

Service reimbursement from the General fund to the Risk Management fund increases by \$13 as a result of the additional insurance costs.

- **What budgets are increased/decreased?**

There is no net change in Mental Health & Addiction Services (MHASD) budget. Personnel costs increase by \$368 and Supplies decrease by the same amount. However, the change increases the Risk Management fund by \$13.

- **What do the changes accomplish?**

Approval of a classification decision from Human Resources Class/Comp allows for a classification that better reflects the functions and duties of the position involved, and moves resources within the MHASD program to cover expanded required responsibilities.

- **Do any personnel actions result from this budget modification? Explain.**

Yes. The approval of this budget modification will result in reclassifying 1.00 FTE position 711964 in MHASD from an OA2 (job class: 6001), to a Health Information Technician (job class: 6321), as determined by the Class/Comp unit of Central Human Resources.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The County General Fund does not pay indirect costs.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

N/A

- **If a grant, what period does the grant cover?**

N/A

- **If a grant, when the grant expires, what are funding plans?**

N/A

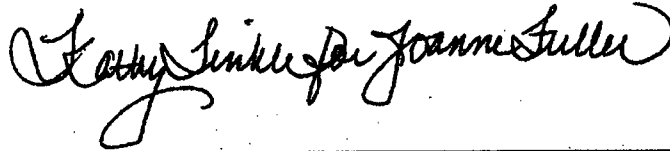
<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: DCHS- 39

Required Signatures

**Elected Official
or Department/
Agency Director:**



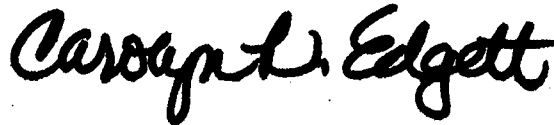
Date: 05/11/09

Budget Analyst:



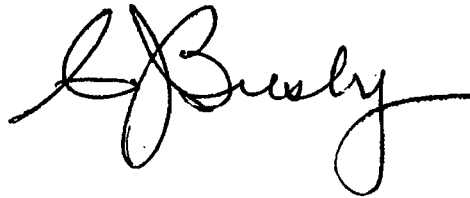
Date: 05/13/09

Department HR:



Date: 05/12/09

Countywide HR:



Date: 04/02/09

Budget Modification ID: **DCHS-39****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	20-80	1000	25052	40			MA SA MR CGF	60000	381,373	381,586	213		Permenent (711964)
2	20-80	1000	25052	40			MA SA MR CGF	60130	111,850	111,992	142		Salary Related Exp
3	20-80	1000	25052	40			MA SA MR CGF	60140	121,414	121,427	13		Insurance Benefit
4	20-80	1000	25052	40			MA SA MR CGF	60240	6,795	6,427	(368)		Supplies
5													
6	72-10	3500	20			705210		50316		(13)	(13)		Serv Reim F/S to Risk Fund
7	72-10	3500	20			705210		60330		13	13		Claims Paid
8													
9													
10													
11													
12													
13													
14													
15													
16													
17													
18													
19													
20													
21													
22													
23													
24													
25													
26													
27													
28													
29													
											0	0	Total - Page 1
											0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6001	63296	MA SA MR CGF	OA 2	711964	(1.00)	(36,728)	(10,640)	(13,152)	(60,520)
1000	6321	63296	MA SA MR CGF	Health Information Tech	711964	1.00	39,296	12,355	13,306	64,956
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						0.00	2,568	1,715	154	4,436

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6001	63296	MA SA MR CGF	OA 2	711964	(0.08)	(3,048)	(883)	(1,091)	(5,022)
1000	6321	63296	MA SA MR CGF	Health Information Tech	711964	0.08	3,261	1,025	1,104	5,390
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0.00	213	142	13	368



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
501 SE Hawthorne, Suite 400
Portland, Oregon 97214
(503) 988-5015 Phone
(503) 988-3009 Fax

To: Pam Hyde, DCHS MHASD/Clinical Records (MS 167/1/520)
From: Candace Busby, Classification and Compensation Unit (503/4)
Date: April 2, 2009
Subject: Reclassification Request # 1214 (Vacant after 4/30/2009)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 23, 2009
Current Classification: Office Assistant 2
Job Class Number: 6001
Pay Grade: 9

Position Number: 711964
Requested Classification: Health Information Tech
Job Class Number: 6321
Pay Grade: 17

Request is: ☒ Approved as Requested
☐ Approved - Revised
☐ Denied

Effective Date: April 2, 2009

Allocated Classification: Health Information Tech
Pay Range: \$38,147.76 to \$46,896.48 annually
Job Class Number: 6321
Pay Grade: 17

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

☒ Vacant - see New/Vacant Section
☐ Filled & incumbent reclassified - see Employee Information Section
☐ Filled & incumbent not reclassified with position See New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to reorganization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

Due to a vacancy, the department is restructuring to add staff with specific medical records/health information systems technical expertise into the unit. Federal and state compliance requirements have changed and staff with specific medical records expertise/training is needed to audit clinical records, provide technical insight into medical records maintenance and to monitor coding and documentation needed to support the billing process. These duties and responsibilities are consistent with the Health Information Technician (6321) classification which requires either an Associates Degree in Medical Records Technology or closely related field, or registration as a Health Information Technician as described in the class specification.

If you have any questions, please feel free to contact me at 503-988-5015 ext. 24422.

cc: HR Manager
HR Maintainer
Local 88
Class Comp File Copy

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 5/21/09

SUBJECT: Keeping funding/or more funding for
PCDS services (Children birth to 5)

AGENDA NUMBER OR TOPIC: personal story

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: Jason Walburn

ADDRESS: 2438 SE. 41st

CITY/STATE/ZIP: Portland 97214

PHONE: DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: personal story of single parenting

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#2 & #3

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: May 21, 2009

SUBJECT: Presentation of Check to Multnomah County

AGENDA NUMBER OR TOPIC: N/A

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: John and Pat Schwiebert

ADDRESS: 2116 NE 18th Ave

CITY/STATE/ZIP: Portland, OR 97212

PHONE: _____ DAYS: 503 281-3697

EVES: 503-281-3697

EMAIL: john@metanoiaume.org
pat@tearsoup.com

FAX: 503 282-8985

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

attached

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

May 21, 2009

TO THE MULTNOMAH COUNTY COMMISSIONERS

Greetings:

Every Sunday at 4:00 PM members of our little church congregation gather to vigil and pray for peace. We started doing this in 2003 as the United States government was making preparations to invade and occupy Iraq, hoping that our prayers could help prevent this disastrous outcome.

Now, six years later we continue to pray the same prayer every week. We pray that God will deliver us and our nation from the addictive impulse to make war. We pray that the spirit of violence will depart from us and from our nation and that God's spirit of non-violence and peace will prevail.

Every year we confront the same dilemma: how can we pray for peace and at the same time pay for war? For that is what we do every time we file a federal tax return and enclose a check made payable to the Internal Revenue Service.

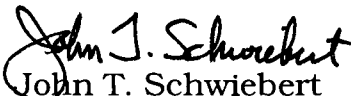
The way we have resolved this dilemma over the past several years is to compute the amount of Federal tax we owe, and then to turn this amount over to you, our local Multnomah County government, knowing that you are looking out for the common good and promoting the general welfare of the people even when the federal government, in its resort to military violence, is not.

Therefore, as part of a growing community of conscientious war tax resisters, we are here to present to you this check for \$3,671.00. And we thank you for allowing us to redirect our federal tax payment in this way.

Respectfully,



Pat Schwiebert
pat@tearsoup.com



John T. Schwiebert
john@metanoiaumc.org



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 05/04/09

Agenda Title: Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Sections 15.700-15.760 Relating to Alarm Systems

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 1 Minute
Department: Sheriff's Office Division: Business Services
Contact(s): Wanda Yantis
Phone: 503-988-4455 Ext. 84455 I/O Address: 503/350
Presenter(s): Larry Aab and Kimberly Walker-Norton

General Information

1. What action are you requesting from the Board?

Approve second reading and adoption of an ordinance amending MCC §§15.700-760 Relating to Alarm Systems.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The purpose of Chapter 15 of the Multnomah County code subchapters 15.700 through 15.760 is to encourage alarm users and alarm businesses to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems to prevent unnecessary responses to false alarms and thereby to protect the emergency response capability of the county from misuse. The Ordinance before the Board updates and adds language to clarify definitions, amends certain processes, and amends the fees.

3. Explain the fiscal impact (current year and ongoing).

Implementation of this ordinance will support the collection of revenue from Sheriff's Office fees for services as provided in the Multnomah County Code Chapter 15.

4. Explain any legal and/or policy issues involved.

none

5. Explain any citizen and/or other government participation that has or will take place.

The Alarms Task Force has reviewed the amendments to this ordinance. The members of the Alarms Task Force are: Jim Akers, Councilman for the City of Maywood Park; Sheila Ritz, City Administrator for the City of Wood Village; Captain David Lerwick of the Gresham Police Department; Melody Thompson, Troutdale Police Department; Barbara Hamlin, Director of Customer Service for Sonitrol Pacific; and Kimberly Walker-Norton Law Enforcement Support Unit Manager, Multnomah County Sheriff's Office.

Required Signature

**Elected Official or
Department/
Agency Director:**

/s/ *Bob Skipper / L.A.*

Date: 05-04-09

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. _____

Amending MCC §§15.700-760 Relating to Alarm Systems

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC § 15.702 is amended as follows:

15.702 Definitions.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

ALARM BUSINESS. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, monitoring, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, monitored, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

ALARM SYSTEM. Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which law enforcement officers are ~~expected to respond~~alerted.

ALARM USER. The person, firm, partnership, association, corporation, company or organization of any kind which owns, controls or occupies any building, structure or facility wherein an alarm system is maintained.

AUTOMATIC DIALING DEVICE. A device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response. Such a device is an alarm system.

BUREAU OF EMERGENCY COMMUNICATIONS. The city or county facility used to receive emergency and general information from the public to be dispatched to the respective law enforcement departments utilizing the bureau.

BURGLARY or ROBBERY ALARM SYSTEM. An automated or manual alarm system signaling an entry or attempted entry into the area protected by the system.

COMMERCIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is not primarily used as the alarm system user's residence.

ECONOMICALLY DISADVANTAGED PERSON. A person receiving public assistance or food stamps.

FALSE ALARM. An alarm signal, eliciting a response by a law enforcement officer when a situation requiring a response by such officer does not in fact exist. An alarm is not considered false if the, but does not include an alarm signal is caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user, including but not limited to, evidence of a crime or an attempted crime; notice from the alarm business that the system is faulty before the officer arrives on the scene or notice from alarm business operator that the system or the user erred before an officer arrives on the scene.

INTERCONNECT. To connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

NO RESPONSE. Law enforcement officers will not be dispatched to investigate a report of an alarm signal.

NOTICE. All notices in this ordinance required to be given by the Sheriff to an alarm user or alarm business shall be by ~~certified U.S. mail with return receipt~~. **NOTICE**, whether actual or constructive, is presumed to be given seven days from the date printed on the notice when the Sheriff receives the return receipt.

~~**PRIMARY TRUNK LINE.** A telephone line serving the Bureau of Emergency Communications that is designated to receive emergency calls.~~

~~**ROBBERY ALARM SYSTEM.** An alarm system signaling a robbery.~~

RESIDENTIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is primarily used as the alarm system user's residence.

SHERIFF. The Multnomah County Sheriff, or designee.

~~**SOUND EMISSION CUTOFF FEATURE.** A feature of an alarm system which will cause an audible alarm to stop emitting sound.~~

SYSTEM BECOMES OPERATIVE. When the alarm system is capable of eliciting a response by law enforcement officers.

Section 2. MCC § 15.703 is amended as follows:

15.703 Permits Required; Payment of Permit Fees and Other Fees.

(A) Every alarm user, including but not limited to users of any non-monitored alarm systems, ~~shall must~~ obtain an alarm user's permit for each system from the Sheriff within 30 days of the time when the system becomes operative. Users of commercial alarm systems using having both robbery manual and burglary automated alarm capabilities ~~shall must~~ obtain a separate permit for each function. Application for a burglary or robbery alarm user's permit and a fee for each in an amount set by Board resolution shall be filed with the Sheriff each year. Each permit shall bear the signature of the Sheriff and be valid for a one-year period. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the Sheriff.

(B) Permits issued under this subchapter expire annually on March 31. Application for an alarm user's permit and the permit fees as set by Board resolution must be filed with the Sheriff each year. The permit fees must be postmarked to the Sheriff on or before midnight March 31 of the preceding permit year.

(BC) If a residential alarm user is over the age of ~~62~~ 65 or is an economically disadvantaged person and is a resident of the residence, and if no business is conducted in the residence, a user's permit may be obtained from the Sheriff's office according to subsections (A) and (B) ~~without the payment of~~ a reduced fee as set by Board resolution.

(D) Each permit will bear the signature of the Sheriff and must be physically upon the premises where the alarm system is used and available for inspection by the Sheriff. If a law enforcement officer is dispatched to investigate a report of an alarm signal and a valid permit is not available for inspection, the alarm user must pay a fee as set by Board resolution and obtain a permit within 30 days of the date of dispatch.

(E) A late fee in an amount set by Board resolution will be charged in addition to the fees provided in this subsection (A) to an alarm user who fails to obtain a permit within 30 days after the system becomes operative, or who is more than 30 days delinquent in renewing a permit.

(F) If an alarm user fails to renew a permit within 30 days after the permit expires, the Sheriff will notify the alarm user that, unless the permit is renewed and all fees are paid within 30 days of receipt of notice, the Sheriff will initiate the no response process. If the permit is not renewed and all fees paid, the Sheriff will initiate the no response process and make notifications as provided in § 15.705(C).

Section 3. MCC § 15.704 is amended as follows:

15.704 Excessive False Alarms; ~~Fines~~ Fees.

(A) After the fourth false alarm within the permit year there may be no law enforcement response to subsequent alarms without approval of the Sheriff.

(B) After a false alarm, the Sheriff will also notify the alarm user that:

(1) After the fourth false alarm within the permit year, there may be no response to subsequent alarms without the approval of the Sheriff; and

(2) Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.

(AC) Fees for excessive false alarms will be assessed by the Sheriff as set by Board resolution.

(BD) The Sheriff will notify the alarm user ~~and the alarm business~~ of a false alarm, the fees for excessive false alarms, if any, and the consequences of the failure to pay the fees. The Sheriff will also inform the alarm user of his or her right to appeal the validity of the false alarm to the Sheriff, as provided in § 15.709.

(~~CE~~) A late fee in an amount set by Board resolution will be charged in addition to the fee provided in subsection (A) to an alarm user who fails to pay the excessive false alarm fees within 30 days after receipt of the notice.

(~~DE~~) If ~~the a residential alarm system~~ user fails to pay the excessive false alarm fee within 30 days after ~~receipt the date of the~~ initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of ~~receipt the date of the~~ notice, the Sheriff will initiate the no response process. If payment is not received within seven days of the date of the ~~notice~~ Sheriff receives the return receipt, the Sheriff will initiate the no response process, make notifications as provided in § 15.705(C) and may initiate the enforcement of penalties.

(G) If a commercial alarm system user fails to pay the excessive false alarm fee within 30 days after the date of the initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of receipt of notice, the Sheriff may initiate the no response process. If payment is not received within seven days of the date of the notice, the Sheriff may initiate the no response process, make notifications as provided in § 15.705 and may initiate the enforcement of penalties.

Penalty, see § 15.999

Section 4. MCC § 15.705 is amended as follows:

15.705 Excessive Alarms; No Response; Reinstatement Fee.

~~— (A) — After the fourth false alarm within the permit year there will be no law enforcement response to subsequent alarms without approval of the Sheriff.~~

~~— (B) — After a false alarm, the Sheriff shall also notify the alarm user that:~~

~~— (1) — After the fourth false alarm within the permit year, there will be no response to subsequent alarms without the approval of the Sheriff; and~~

~~— (2) — Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.~~

(~~EA~~) When the no response process is initiated, the Sheriff shall notify:

- (1) The Bureau of Emergency Communications;
- (2) The alarm user; and
- (3) Any alarm business employed by the alarm user if known; and

~~— (4) — The persons listed on the alarm user's permit who are to be contacted in case of emergency, by certified mail with return receipt.~~

(~~EB~~) No response to an alarm ~~shall will~~ begin seven days after the date ~~the Sheriff receives return receipts from~~ of the notices provided in ~~subsection (C)~~ above unless a written request for a false alarm validity hearing has been made in the time period required under § 15.709.

(C) If a no response order is issued by the Sheriff, a reinstatement fee as set by Board resolution will be charged in addition to any outstanding fees, fines and penalties.

Section 5. MCC § 15.706 is amended as follows:

15.706 Special Permits.

(A) The following alarm users will be issued a special permit:

(1) An alarm user required by federal, state, county or ~~city~~ municipal law to install, maintain and operate an alarm system; or

(2) A federal, state or local government unit.

(B) Special permit holders must pay the regular permit fee, but are not subject to the no response procedure under this subchapter.

(C) Any alarm user that is a federal government agency is not liable for false alarm fees, shall be subject to this subchapter, provided:

(1) A permit shall be designated a special alarm user's permit;

(2) A special alarm user's permit for a system which has four false alarms in a permit year shall not be subject to the no response procedure and shall pay the regular fee; and

(3) The payment of any fee provided for in subsection (A)(2) shall not be deemed to extend the term of the permit.

(B) An alarm user that is a government unit is subject to this subchapter.

Section 6. MCC § 15.707 is amended as follows:

15.707 User Instructions Alarm Business Responsibilities.

(A) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the area subject to this subchapter shall must:

(A) ~~f~~Furnish the user with instructions that provide information to enable the user to operate the alarm system properly and to obtain service for the alarm system at any time.

(B) The alarm business shall also inform each alarm user of the requirement to obtain a permit and where it can be obtained. Notify the user of the requirement to get a permit and give the user a copy of the application necessary to obtain a permit.

(C) Give the user a copy of the county notice that outlines the consequences of generating false alarms, including possible fees, penalties, and fines, and such other forms and notices as required by the county.

(BD) Maintain a list of all active alarm customers and provide this list to the Multnomah County Sheriff's Office upon request. Standard form instructions shall be submitted by every alarm business to the Sheriff. If the Sheriff reasonably finds such instructions to be incomplete, unclear or inadequate, the Sheriff may require the alarm business to revise the instructions to comply with subsection (A) and then to distribute the revised instructions to its alarm users.
Penalty, see § 15.999

Section 7. MCC § 15.708 is amended as follows:

15.708 Automatic Dialing Device; Certain Interconnections Prohibited.

(A) ~~It is unlawful for any person to program an automatic dialing device to select a primary trunk line and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 12 hours of receipt of written notice from the Sheriff that it is so programmed.~~

~~(B) It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the county a governmental agency related to emergency response, and it is unlawful for an alarm user to fail to disconnect or reprogram such device within 12 hours of receipt of written notice from the Sheriff that an automatic dialing device is so programmed.~~
Penalty, see § 15.999

Section 8. MCC § 15.709 is amended as follows:

15.709 Hearing.

(A) An alarm user who wants to appeal validity of a false alarm determination may appeal to the Sheriff for a hearing. The appeal must be in writing and must be received by the Sheriff within ~~seven-14 days of from the date of notice alarm user having received notice of the false alarm determination from the Sheriff.~~ Failure to contest the determination in the required time period results in a conclusive presumption for all purposes that the alarm was false.

(B) If a hearing is requested, the Sheriff will notify the alarm user of the time and place of the hearing ~~at least no later than ten 10 days prior to the hearing date, which date shall will not be more than 21 nor less than ten 10 days after the request for hearing is received unless agreed upon by both parties.~~

(C) The hearing shall be before ~~the Sheriff a hearings officer.~~ The alarm user ~~shall have~~ has the right to present written and oral evidence, subject to the right of cross examination. If the Sheriff determines that the alleged false alarms alleged have occurred in a permit year, the Sheriff shall will issue written findings waiving, expunging or entering a false alarm designation on an alarm user's record at his the Sheriff's discretion. The decision of the Sheriff or hearings officer is final. If false alarm designations are entered on the alarm user's record, the Sheriff may find that the alarm user is liable for hearing costs, including costs of the hearings officer and witnesses and shall will pursue fee collection as set out in §-15.704 this subchapter.

~~(D) The Sheriff may appoint another person to be a hearings officer to hear the appeals and to render a decision at the hearing.~~

Section 9. MCC § 15.711 is amended as follows:

15.711 Confidentiality, Statistics.

~~———— (A) ——— All information submitted in compliance with this subchapter shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure pursuant to ORS 192.502(3), and any violation of confidentiality shall be deemed a violation of this subchapter. The Sheriff shall be charged with the sole responsibility for the maintenance of all records of any kind under this subchapter.~~

~~———— (B) ——— Subject to the requirements of confidentiality, the Sheriff shall will develop and maintain statistics within reason for having the purpose of assisting alarm system evaluation for use by members of the public evaluating member service for the municipalities and alarm companies.~~

Section 10. MCC§ 15.714 is amended as follows:

15.714 Enforcement.

(A) Enforcement of this subchapter may be by civil action as provided in ORS 30.315, ~~or by criminal prosecution, as provided in ORS 203.810 for offenses under county law.~~

(B) The failure or omission to comply with any section of this subchapter shall be deemed a violation and may be so prosecuted.
Penalty, see § 15.999

Section 11. This ordinance is effective on July 1, 2009.

FIRST READING:

May 14, 2009

SECOND READING AND ADOPTION:

May 21, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Bob Skipper, Multnomah County Sheriff

BOGSTAD Deborah L

From: KINOSHITA Carol
Sent: Wednesday, May 20, 2009 11:39 AM
To: 'WALKER-NORTON Kimberly'
Cc: WEBER Jacquie A; BOGSTAD Deborah L; KARNES Ana; BOWEN-BIGGS Tara C
Subject: RE: Alarms Ordinance...
Importance: High

Hi Kimberly!

As this ordinance has already passed first reading; if you still want this change made, it will also need to be made orally at this week's meeting (please check with Deb if you need help with scripting this), and I believe a third reading will be required. Attached is the ordinance with the highlighted insert on page one and the added third reading on 5/28. Thanx!

Carol

From: WALKER-NORTON Kimberly [mailto:kimberly.walker-norton@mcsso.us]
Sent: Saturday, May 16, 2009 8:25 AM
To: KINOSHITA Carol

5/20/2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§15.700-760 Relating to Alarm Systems

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. **MCC § 15.702 is amended as follows:**

15.702 Definitions.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

ALARM BUSINESS. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, monitoring, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, monitored, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

ALARM SYSTEM. Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which law enforcement officers are ~~expected to respond~~alerted.

ALARM USER. The person, firm, partnership, association, corporation, company or organization of any kind which owns, controls or occupies any building, structure or facility wherein an alarm system is maintained.

AUTOMATIC DIALING DEVICE. A device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response. Such a device is an alarm system.

BUREAU OF EMERGENCY COMMUNICATIONS. The city or county facility used to receive emergency and general information from the public to be dispatched to the respective law enforcement departments utilizing the bureau.

BURGLARY or ROBBERY ALARM SYSTEM. An automated or manual alarm system signaling a robbery, an entry or attempted entry into the area protected by the system.

COMMERCIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is not primarily used as the alarm system user's residence.

ECONOMICALLY DISADVANTAGED PERSON. A person receiving public assistance or food stamps.

FALSE ALARM. An alarm signal, eliciting a response by a law enforcement officer when a situation requiring a response by such officer does not in fact exist. An alarm is not considered false if the, but does not include an alarm signal is caused by violent conditions of nature or other extraordinary

circumstances not reasonably subject to control by the alarm business operator or alarm user, including but not limited to, evidence of a crime or an attempted crime; notice from the alarm business that the system is faulty before the officer arrives on the scene or notice from alarm business operator that the system or the user erred before an officer arrives on the scene.

INTERCONNECT. To connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

NO RESPONSE. Law enforcement officers will not be dispatched to investigate a report of an alarm signal.

NOTICE. All notices in this ordinance required to be given by the Sheriff to an alarm user or alarm business shall be by ~~certified U.S. mail with return receipt~~. **NOTICE**, whether actual or constructive, is presumed to be given seven days from the date printed on the notice when the Sheriff receives the return receipt.

~~**PRIMARY TRUNK LINE.** A telephone line serving the Bureau of Emergency Communications that is designated to receive emergency calls.~~

~~**ROBBERY ALARM SYSTEM.** An alarm system signaling a robbery.~~

RESIDENTIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is primarily used as the alarm system user's residence.

SHERIFF. The Multnomah County Sheriff, or designee.

~~**SOUND EMISSION CUTOFF FEATURE.** A feature of an alarm system which will cause an audible alarm to stop emitting sound.~~

SYSTEM BECOMES OPERATIVE. When the alarm system is capable of eliciting a response by law enforcement officers.

Section 2. MCC § 15.703 is amended as follows:

15.703 Permits Required; Payment of Permit Fees and Other Fees.

(A) Every alarm user, including but not limited to users of any non-monitored alarm systems, ~~shall must~~ obtain an alarm user's permit for each system from the Sheriff within 30 days of the time when the system becomes operative. Users of commercial alarm systems using having both robbery manual and burglary automated alarm capabilities ~~shall must~~ obtain a separate permit for each function. ~~Application for a burglary or robbery alarm user's permit and a fee for each in an amount set by Board resolution shall be filed with the Sheriff each year. Each permit shall bear the signature of the Sheriff and be valid for a one-year period. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the Sheriff.~~

(B) Permits issued under this subchapter expire annually on March 31. Application for an alarm user's permit and the permit fees as set by Board resolution must be filed with the Sheriff each year. The permit fees must be postmarked to the Sheriff on or before midnight March 31 of the preceding permit year.

(~~BC~~) If a residential alarm user is over the age of ~~62-65~~ or is an economically disadvantaged person and is a resident of the residence, and if no business is conducted in the residence, a user's permit may be obtained from the Sheriff's office according to subsections (A) and (B) ~~without the payment of~~ for a reduced fee as set by Board resolution.

(D) Each permit will bear the signature of the Sheriff and must be physically upon the premises where the alarm system is used and available for inspection by the Sheriff. If a law enforcement officer is dispatched to investigate a report of an alarm signal and a valid permit is not available for inspection, the alarm user must pay a fee as set by Board resolution and obtain a permit within 30 days of the date of dispatch.

(~~CE~~) A late fee in an amount set by Board resolution will be charged in addition to the fees provided in this subsection (A) to an alarm user who fails to obtain a permit within 30 days after the system becomes operative, or who is more than 30 days delinquent in renewing a permit.

(~~DE~~) If an alarm user fails to renew a permit within 30 days after the permit expires, the Sheriff will notify the alarm user that, unless the permit is renewed and all fees are paid within 30 days of receipt of notice, the Sheriff will initiate the no response process. If the permit is not renewed and all fees paid, the Sheriff will initiate the no response process and make notifications as provided in § 15.705(C).

Section 3. MCC § 15.704 is amended as follows:

15.704 Excessive False Alarms; ~~Fines~~Fees.

(A) After the fourth false alarm within the permit year there may be no law enforcement response to subsequent alarms without approval of the Sheriff.

(B) After a false alarm, the Sheriff will also notify the alarm user that:

(1) After the fourth false alarm within the permit year, there may be no response to subsequent alarms without the approval of the Sheriff; and

(2) Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.

(~~AC~~) Fees for excessive false alarms will be assessed by the Sheriff as set by Board resolution.

(~~BD~~) The Sheriff will notify the alarm user ~~and the alarm business~~ of a false alarm, the fees for excessive false alarms, if any, and the consequences of the failure to pay the fees. The Sheriff will also inform the alarm user of his or her right to appeal the validity of the false alarm to the Sheriff, as provided in § 15.709.

(~~CE~~) A late fee in an amount set by Board resolution will be charged in addition to the fee provided in subsection (A) to an alarm user who fails to pay the excessive false alarm fees within 30 days after receipt of the notice.

(~~DE~~) If ~~the a residential alarm system~~ user fails to pay the excessive false alarm fee within 30 days after ~~receipt the date of the~~ initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of ~~receipt the date of the~~ notice, the Sheriff will initiate the no response process. If payment is not received within seven days of the date of the

~~notice~~ Sheriff receives the return receipt, the Sheriff will initiate the no response process, make notifications as provided in § 15.705(C) and may initiate the enforcement of penalties.

(G) If a commercial alarm system user fails to pay the excessive false alarm fee within 30 days after the date of the initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of receipt of notice, the Sheriff may initiate the no response process. If payment is not received within seven days of the date of the notice, the Sheriff may initiate the no response process, make notifications as provided in § 15.705 and may initiate the enforcement of penalties.

Penalty, see § 15.999

Section 4. MCC § 15.705 is amended as follows:

15.705 Excessive Alarms; No Response; Reinstatement Fee.

~~— (A) — After the fourth false alarm within the permit year there will be no law enforcement response to subsequent alarms without approval of the Sheriff.~~

~~— (B) — After a false alarm, the Sheriff shall also notify the alarm user that:~~

~~— (1) — After the fourth false alarm within the permit year, there will be no response to subsequent alarms without the approval of the Sheriff; and~~

~~— (2) — Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.~~

~~(C)~~ (A) When the no response process is initiated, the Sheriff shall notify:

(1) The Bureau of Emergency Communications;

(2) The alarm user; and

(3) Any alarm business employed by the alarm user if known; and

~~— (4) — The persons listed on the alarm user's permit who are to be contacted in case of emergency, by certified mail with return receipt.~~

~~(D)~~ (B) No response to an alarm shall will begin seven days after the date ~~the Sheriff receives return receipts from~~ of the notices provided in subsection ~~(C)~~ above unless a written request for a false alarm validity hearing has been made in the time period required under § 15.709.

(C) If a no response order is issued by the Sheriff, a reinstatement fee as set by Board resolution will be charged in addition to any outstanding fees, fines and penalties.

Section 5. MCC § 15.706 is amended as follows:

15.706 Special Permits.

(A) The following alarm users will be issued a special permit:

(1) An alarm user required by federal, state, county or city-municipal law to install, maintain and operate an alarm system; or

(2) A federal, state or local government unit.

(B) Special permit holders must pay the regular permit fee, but are not subject to the no response procedure under this subchapter.

(C) Any alarm user that is a federal government agency is not liable for false alarm fees. shall be subject to this subchapter, provided:

(1) A permit shall be designated a special alarm user's permit;

(2) A special alarm user's permit for a system which has four false alarms in a permit year shall not be subject to the no response procedure and shall pay the regular fee; and

(3) The payment of any fee provided for in subsection (A)(2) shall not be deemed to extend the term of the permit.

(B) An alarm user that is a government unit is subject to this subchapter.

Section 6. MCC § 15.707 is amended as follows:

15.707 User Instructions Alarm Business Responsibilities.

(A) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the area subject to this subchapter shall must:

(A) -fFurnish the user with instructions that provide information to enable the user to operate the alarm system properly and to obtain service for the alarm system at any time.

(B) The alarm business shall also inform each alarm user of the requirement to obtain a permit and where it can be obtained. Notify the user of the requirement to get a permit and give the user a copy of the application necessary to obtain a permit.

(C) Give the user a copy of the county notice that outlines the consequences of generating false alarms, including possible fees, penalties, and fines, and such other forms and notices as required by the county.

(BD) Maintain a list of all active alarm customers and provide this list to the Multnomah County Sheriff's Office upon request. Standard form instructions shall be submitted by every alarm business to the Sheriff. If the Sheriff reasonably finds such instructions to be incomplete, unclear or inadequate, the Sheriff may require the alarm business to revise the instructions to comply with subsection (A) and then to distribute the revised instructions to its alarm users.

Penalty, see § 15.999

Section 7. MCC § 15.708 is amended as follows:

15.708 Automatic Dialing Device; Certain Interconnections Prohibited.

(A) ~~It is unlawful for any person to program an automatic dialing device to select a primary trunk line and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 12 hours of receipt of written notice from the Sheriff that it is so programmed.~~

~~(B) It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the county a governmental agency related to emergency response, and it is unlawful for an alarm user to fail to disconnect or reprogram such device within 12 hours of receipt of written notice from the Sheriff that an automatic dialing device is so programmed.~~
Penalty, see § 15.999

Section 8. **MCC § 15.709 is amended as follows:**

15.709 Hearing.

(A) An alarm user who wants to appeal validity of a false alarm determination may appeal to the Sheriff for a hearing. The appeal must be in writing and must be received by the Sheriff within ~~seven-14 days of from the date of notice, alarm user having received notice of the false alarm determination from the Sheriff.~~ Failure to contest the determination in the required time period results in a conclusive presumption for all purposes that the alarm was false.

(B) If a hearing is requested, the Sheriff will notify the alarm user of the time and place of the hearing ~~at least no later than ten~~ 10 days prior to the hearing date, which date ~~shall will~~ not be more than 21 nor less than ~~ten-10~~ 10 days after the request for hearing is received unless agreed upon by both parties.

(C) The hearing shall be before ~~the Sheriff a~~ hearings officer. The alarm user ~~shall have~~ has the right to present written and oral evidence, subject to the right of cross examination. If the Sheriff determines that the alleged false alarms ~~alleged have~~ occurred in a permit year, the Sheriff ~~shall will~~ issue written findings waiving, expunging or entering a false alarm designation on an alarm user's record at ~~his~~ the Sheriff's discretion. The decision of the Sheriff or hearings officer is final. If false alarm designations are entered on the alarm user's record, the Sheriff may find that the alarm user is liable for hearing costs, including costs of the hearings officer and witnesses and shall will pursue fee collection as set out in § ~~15.704~~ this subchapter.

~~(D) The Sheriff may appoint another person to be a hearings officer to hear the appeals and to render a decision at the hearing.~~

Section 9. **MCC § 15.711 is amended as follows:**

15.711 Confidentiality; Statistics.

~~(A) All information submitted in compliance with this subchapter shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure pursuant to ORS 192.502(3), and any violation of confidentiality shall be deemed a violation of this subchapter. The Sheriff shall be charged with the sole responsibility for the maintenance of all records of any kind under this subchapter.~~

~~(B) Subject to the requirements of confidentiality, the Sheriff shall will develop and maintain statistics within reason for having the purpose of assisting alarm system evaluation for use by members of the public evaluating member service for the municipalities and alarm companies.~~

Section 10. **MCC§ 15.714 is amended as follows:**

15.714 Enforcement.

(A) Enforcement of this subchapter may be by civil action as provided in ORS 30.315, ~~or by criminal prosecution, as provided in ORS 203.810 for offenses under county law.~~

(B) The failure or omission to comply with any section of this subchapter shall be deemed a violation and may be so prosecuted.

Penalty, see § 15.999

Section 11. **This ordinance is effective on July 1, 2009.**

FIRST READING:

May 14, 2009

SECOND READING:

May 21, 2009

THIRD READING AND ADOPTION:

May 28, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Bob Skipper, Multnomah County Sheriff



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-2
Est. Start Time: 9:32 AM
Date Submitted: 05/12/09

Agenda Title: RESOLUTION Establishing Fees and Charges for Chapter 15, Sheriff, of the Multnomah County Code and Repealing Resolution No. 04-118

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 5 Minutes
Department: Sheriff's Office Division: Business Services
Contact(s): Wanda Yantis
Phone: 503-988-4455 Ext. 84455 I/O Address: 503/350
Presenter(s): Larry Aab and Wanda Yantis

General Information

1. What action are you requesting from the Board?

Approval of a resolution revising Chapter 15 of the Multnomah County Code to update certain fees so that actual costs can be recovered.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Chapter 15 of the Multnomah County Code requires the Sheriff's Office to collect fees as set by Board resolution. This resolution updates and adjusts the fees which were last revised in 2004. Fees covered in the resolution include records requests, imaging reproduction, vehicle towing, firearms and explosives permits, civil process and alarms permits as well as other fees.

3. Explain the fiscal impact (current year and ongoing).

Implementation of this resolution will increase the revenues collected from Sheriff's Office fees and services.

4. Explain any legal and/or policy issues involved.

none

5. Explain any citizen and/or other government participation that has or will take place.

The Alarms Task Force has reviewed the alarm fee subchapters of this resolution. The members of the Alarms Task Force are: Jim Akers, Councilman for the City of Maywood Park; Sheila Ritz, City Administrator for the City of Wood Village; Captain David Lerwick of the Gresham Police Department; Melody Thompson, Troutdale Police Department; Barbara Hamlin, Director of Customer Service for Sonitrol Pacific; and Kimberly Walker-Norton, Law Enforcement Support Unit Manager, Multnomah County Sheriff's Office.

Required Signature

Elected Official or
Department/
Agency Director:

/s/ *Bob Skipper / L.A.*

Date: May 12, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Fees and Charges for Chapter 15, Sheriff, of the Multnomah County Code and Repealing Resolution No. 04-118

The Board of County Commissioners Finds:

- a. Chapter 15, Sheriff, of the Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. On August 19, 2004, by Resolution 04-118, the Board established fees and charges for MCC Chapter 15, Sheriff.
- c. The Board wishes to update certain fees to recover actual costs.
- d. All other fees and charges established by Resolution 04-118 remain the same.

The Multnomah County Board Of Commissioners Resolves:

1. The fees and charges for Chapter 15, Sheriff, of the Multnomah County Code are set as follows:

Section 15.002. Fees of Multnomah County Sheriff's Office:

For services provided by the Sheriff and not specified in this Resolution, including inmate services, the Sheriff may charge fees sufficient to cover the actual cost of such services.

Checks returned to MCSO for Non-Sufficient Funds (applies to all subsections)	\$35
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(A) Record copy request—may include agency reports, accident reports, law enforcement reports, law enforcement deputy file/notebook entries, administrative documents (e.g. memoranda, special orders, etc.) booking records, visitors cards, etc.	\$15
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(1) Additional pages:	\$ 2 per page
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(2) If the record is on file, the fee charged under section (A) includes a copy of a document five or

fewer pages in length.

(3) The fee charged under section (A) is not refundable, even though the record requested is not on file or otherwise cannot be located.

(4) The sheriff will not charge the fee as provided in section (A) to an alleged victim of a crime listed on a law enforcement record

(B)	Archive Record Request	\$20 per hour search time
(C)	Standard File Search:	\$35 per search
(D)	Custom File Search: Actual costs for programming and computer usage time.	\$35 per hour search time
(E)	Administrative Procedures Manual Publications:	\$50 per subscription
(F)	Filing letter of subrogation:	\$10
(G)	Imaging Reproduction:	

(1) Photograph reprinting, per incident/accident:

First 4x5 print:	\$25
Each additional print:	\$1.00
Other sizes:	\$25 per request plus actual cost

(2) Audio or Video Reproduction

\$50

(3) Mug Shot Reproduction

\$10

(H) Vehicle Towing

(1) Tow charge reimbursement:

Cost of Tow

(2) Administrative fee for processing each towed vehicle release authorization form

\$50

(I) Explosives permit approval

\$25

(J) Firearms licenses (see ORS 166.291(5))

(1) Concealed handgun license - new:

\$65

(2) Concealed handgun license-duplicate or change of address

\$15

(3) Concealed handgun license-renewal:

\$50

(4) Safety education course

\$40

(5) Dealer fee for background check:

\$15

(6) The fee required under subsection (5) above shall be the obligation of the firearm dealer and shall be charged with respect to requests for background checks received by the sheriff on or after the effective date of Ordinance No. 646. The sheriff shall pursue all appropriate legal remedies upon a failure of a dealer to submit a required fee, but shall not refuse to conduct a background check for that reason. The fee shall be annually reviewed by the sheriff, who shall report to the board on the sufficiency of the fee to cover the

costs of conducting the required checks.	
(K) Civil Process fee (see ORS 21.410)	
(1) Service upon judgment debtor of court order authorizing sale of residence or property homestead:	\$28 or \$30 for two persons at same residence
(2) Mailing letter of intent to sell, levying on real property, preparing notice of judicial sale, submit notice to publication and mailing notice to judgment debtor and others as requested:	\$131
(3) Seizure and sale of personal property	\$130
(4) Service of notice process:	\$25
(5) Enforcement of other writs:	\$47
(6) Service of provisional process order:	\$47
(7) Processing distraint warrant:	\$ 6.25
(8) Eviction:	\$47
(9) Delivery of writ of garnishment:	\$ 9.50
(10) Posting premises levied upon with notice of sale:	\$20
(11) Publication of Notice of Sale:	At current publication rate
(12) Mailing of presale notice:	At current postage rate
(13) Posting of after-sale notice:	\$ 5
(14) Mailing of after-sale notice to judgment debtor:	\$ 4.25

Section 15.105. Application for License (towing services).

Towing - application fee:	\$45
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Section 15.106. Proof of Insurance Required

Personal injury/one person	\$100,000
Personal injury/one accident or incident	\$300,000
Property damage	\$100,000
Cargo	\$ 7,500

Section 15.110. Denial or Revocation of License.

Towing—reapplication fee	\$ 35
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Section 15.111. Renewal of License.

Renewal fee per towing vehicle:	\$ 45
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Section 15.112. Notification of Change of Circumstances.

Towing—inspection fee	\$ 25
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Section 15.201. Applications. (Wrecker)	\$ 15	
Section 15.306. Secondhand Dealer Permit Fees:		
Occasional:	\$ 25	
Occasional—renewal:	\$ 25	
All others:	\$150	
All others—renewal:	\$ 75	
Temporary	Free	
Section 15.401. Liquor license fees:		
Original application:	\$100	
Change in ownership/location/privilege:	\$ 75	
Renewal	\$ 50	
Section 15.703. Alarm permit and other fees:	Residenti al	Commerci al
(B) Annual Permit fee*	\$25	\$75
Fee for new permits applied for or issued between:		
April 1 and June 30	\$25	\$75
July 1 and September 30	\$19	\$56
October 1 and December 31	\$13	\$38
January 1 and March 31	\$6	\$19
* Annual renewal billing will commence each February, and renewal payment is due no later than March 31		
(C) Reduced Fee	\$10	NA
(D) Dispatch without permit	\$100	\$150
(E) Late fee for failure to obtain permit within 30 days of system becoming operative, or delinquency in renewing permit	\$25	\$50
Section 15.704. Excessive false alarms, fees:		
(A) 1st false alarm	\$0	\$0
2nd false alarm:	\$75	\$150
3rd false alarm	\$100	\$200
4th false alarm:	\$200	\$250
5th and each subsequent false alarm	\$300	\$300
(C) Late fee (30 days delinquent)	\$25	\$25
Section 15.705. No Response; Reinstatement Fee:		
Reinstatement Fee	\$30	\$30
Section 15.755. Denial or revocation of license (Adult Entertainment):		
Reinstatement application fee for revoked license:	\$ 35	

Section 15.757. license Fees and Renewal (Adult Entertainment):

Adult bookstore or adult theater annual license fee: \$180

Section 15.856. Disposition of Vehicle (Off-Road Vehicles):

Disposition by court \$ 50

2. Resolution No. 04-118 is repealed, and this resolution takes effect on July 1, 2009.

ADOPTED this 21st day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Bob Skipper, Multnomah County Sheriff

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-058

Establishing Fees and Charges for Chapter 15, Sheriff, of the Multnomah County Code and Repealing Resolution No. 04-118

The Board of County Commissioners Finds:

- a. Chapter 15, Sheriff, of the Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. On August 19, 2004, by Resolution 04-118, the Board established fees and charges for MCC Chapter 15, Sheriff.
- c. The Board wishes to update certain fees to recover actual costs.
- d. All other fees and charges established by Resolution 04-118 remain the same.

The Multnomah County Board Of Commissioners Resolves:

1. The fees and charges for Chapter 15, Sheriff, of the Multnomah County Code are set as follows:

Section 15.002. Fees of Multnomah County Sheriff's Office:

For services provided by the Sheriff and not specified in this Resolution, including inmate services, the Sheriff may charge fees sufficient to cover the actual cost of such services.

Checks returned to MCSO for Non-Sufficient Funds (applies to all subsections)	\$35
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(A) Record copy request—may include agency reports, accident reports, law enforcement reports, law enforcement deputy file/notebook entries, administrative documents (e.g. memoranda, special orders, etc.) booking records, visitors cards, etc.	\$15
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(1) Additional pages:	\$ 2 per page
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(2) If the record is on file, the fee charged under section (A) includes a copy of a document five or

fewer pages in length.

(3) The fee charged under section (A) is not refundable, even though the record requested is not on file or otherwise cannot be located.

(4) The sheriff will not charge the fee as provided in section (A) to an alleged victim of a crime listed on a law enforcement record

- | | | |
|-----|---|---------------------------|
| (B) | Archive Record Request | \$20 per hour search time |
| (C) | Standard File Search: | \$35 per search |
| (D) | Custom File Search: Actual costs for programming and computer usage time. | \$35 per hour search time |
| (E) | Administrative Procedures Manual Publications: | \$50 per subscription |
| (F) | Filing letter of subrogation: | \$10 |
| (G) | Imaging Reproduction: | |

(1) Photograph reprinting, per incident/accident:

- | | |
|------------------------|-----------------------------------|
| First 4x5 print: | \$25 |
| Each additional print: | \$1.00 |
| Other sizes: | \$25 per request plus actual cost |

(2) Audio or Video Reproduction

\$50

(3) Mug Shot Reproduction

\$10

(H) Vehicle Towing

(1) Tow charge reimbursement:

Cost of Tow

(2) Administrative fee for processing each towed vehicle release authorization form

\$50

(I) Explosives permit approval

\$25

(J) Firearms licenses (see ORS 166.291(5))

(1) Concealed handgun license - new:

\$65

(2) Concealed handgun license-duplicate or change of address

\$15

(3) Concealed handgun license-renewal:

\$50

(4) Safety education course

\$40

(5) Dealer fee for background check:

\$15

(6) The fee required under subsection (5) above shall be the obligation of the firearm dealer and shall be charged with respect to requests for background checks received by the sheriff on or after the effective date of Ordinance No. 646. The sheriff shall pursue all appropriate legal remedies upon a failure of a dealer to submit a required fee, but shall not refuse to conduct a background check for that reason. The fee shall be annually reviewed by the sheriff, who shall report to the board on the sufficiency of the fee to cover the

	costs of conducting the required checks.	
(K)	Civil Process fee (see ORS 21.410)	
	(1) Service upon judgment debtor of court order authorizing sale of residence or property homestead:	\$28 or \$30 for two persons at same residence
	(2) Mailing letter of intent to sell, levying on real property, preparing notice of judicial sale, submit notice to publication and mailing notice to judgment debtor and others as requested:	\$131
	(3) Seizure and sale of personal property	\$130
	(4) Service of notice process:	\$25
	(5) Enforcement of other writs:	\$47
	(6) Service of provisional process order:	\$47
	(7) Processing distraint warrant:	\$ 6.25
	(8) Eviction:	\$47
	(9) Delivery of writ of garnishment:	\$ 9.50
	(10) Posting premises levied upon with notice of sale:	\$20
	(11) Publication of Notice of Sale:	At current publication rate
	(12) Mailing of presale notice:	At current postage rate
	(13) Posting of after-sale notice:	\$ 5
	(14) Mailing of after-sale notice to judgment debtor:	\$ 4.25

Section 15.105. Application for License (towing services).

Towing - application fee:	\$45
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Section 15.106. Proof of Insurance Required

Personal injury/one person	\$100,000
Personal injury/one accident or incident	\$300,000
Property damage	\$100,000
Cargo	\$ 7,500

Section 15.110. Denial or Revocation of License.

Towing—reapplication fee	\$ 35
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Section 15.111. Renewal of License.

Renewal fee per towing vehicle:	\$ 45
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Section 15.112. Notification of Change of Circumstances.

Towing—inspection fee	\$ 25
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Section 15.201. Applications. (Wrecker)	\$ 15	
Section 15.306. Secondhand Dealer Permit Fees:		
Occasional:	\$ 25	
Occasional—renewal:	\$ 25	
All others:	\$150	
All others—renewal:	\$ 75	
Temporary	Free	
Section 15.401. Liquor license fees:		
Original application:	\$100	
Change in ownership/location/privilege:	\$ 75	
Renewal	\$ 50	
Section 15.703. Alarm permit and other fees:	Residenti	Commerci
	al	al
(B) Annual Permit fee*	\$25	\$75
Fee for new permits applied for or issued between:		
April 1 and June 30	\$25	\$75
July 1 and September 30	\$19	\$56
October 1 and December 31	\$13	\$38
January 1 and March 31	\$6	\$19
* Annual renewal billing will commence each February, and renewal payment is due no later than March 31		
(C) Reduced Fee	\$10	NA
(D) Dispatch without permit	\$100	\$150
(E) Late fee for failure to obtain permit within 30 days of system becoming operative, or delinquency in renewing permit	\$25	\$50
Section 15.704. Excessive false alarms, fees:		
(A) 1st false alarm	\$0	\$0
2nd false alarm:	\$75	\$150
3rd false alarm	\$100	\$200
4th false alarm:	\$200	\$250
5th and each subsequent false alarm	\$300	\$300
(C) Late fee (30 days delinquent)	\$25	\$25
Section 15.705. No Response; Reinstatement Fee:		
Reinstatement Fee	\$30	\$30
Section 15.755. Denial or revocation of license (Adult Entertainment):		
Reinstatement application fee for revoked license:	\$ 35	

Section 15.757. license Fees and Renewal (Adult Entertainment):

Adult bookstore or adult theater annual license fee: \$180

Section 15.856. Disposition of Vehicle (Off-Road Vehicles):

Disposition by court \$ 50

2. Resolution No. 04-118 is repealed, and this resolution takes effect on July 1, 2009.

ADOPTED this 21st day of May, 2009.



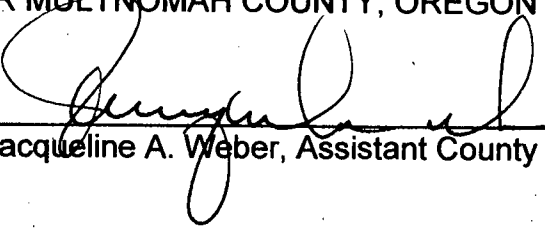
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Bob Skipper, Multnomah County Sheriff



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-3
Est. Start Time: 9:35 AM
Date Submitted: 04/29/09

Agenda Title: Second Reading and Possible Adoption of an ORDINANCE Repealing Multnomah County Code Sections 29.725 – 29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge-Lighting Committee

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 1 minute
Department: Non-Departmental Division: Deborah Kafoury
Contact(s): Beckie Lee Commissioner District 1
Phone: 503 988-6796 Ext. 86796 I/O Address: 503/6th
Presenter(s): Jon Henrichsen, Beckie Lee.

General Information

1. What action are you requesting from the Board?

Approve second reading and adoption of ordinance repealing the Special Bridge Lighting Ordinance and dissolving the Special Bridge-Lighting Committee.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Ordinance 1109 and Resolution 08-007 established a special bridge lighting permit program and a committee to provide the opportunity for community organizations to engage in the special bridge lighting program. Staff from District 1, the Public Affairs Office, and the County Bridge Shop has determined that the County no longer needs this program. Upon approval of this ordinance, the Department of Community Services, Transportation Division, will finalize a contract with the Willamette Light Brigade (WLB) to manage the special bridge lighting program. WLB is uniquely qualified to do the outreach necessary to make this program effective and available to all in the community. WLB is a non-profit organization founded in 1986 and established as a non-profit organization in 2000 with the sole purpose of adding architectural lighting to the Willamette River Bridges. To date, the WLB has raised funds to purchase, install, and maintain lights on the Morrison

and Hawthorne Bridges. They are currently raising funds to light the Burnside Bridge.

3. Explain the fiscal impact (current year and ongoing).

None. The sole-source contract directs the Willamette Light Brigade to solicit and approve applications for special bridge lighting, collect the fees, work with the bridge shop to implement the applications, and reimburse the county for any costs associated with this work. The contract does not require the county to pay the Willamette Light Brigade, however it does allow the WLB to keep any fees received over and above the county's costs up to \$5,000 annually.

4. Explain any legal and/or policy issues involved.

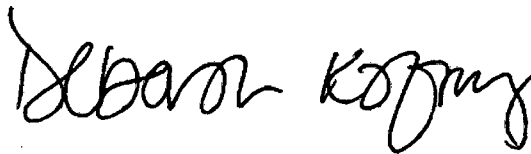
None.

5. Explain any citizen and/or other government participation that has or will take place.

None.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: April 29, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Repealing MCC §§ 29.725-29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge Lighting Committee

The Multnomah County Board of Commissioners Finds:

- a. On February 7, 2008, by Ordinance 1109, the Board established a special bridge architectural lighting display permit program. The Board concurrently adopted Resolution 08-007 establishing a Special Bridge Lighting Committee to review applications and make recommendations to the Chair regarding proposed lighting displays.
- b. Since the adoption of Ordinance 1109, the lighting display program has not had active public participation.
- c. The County is now planning to execute a new agreement with the non-profit group the "Willamette Light Brigade" to better promote and encourage the participation of the public in the use of the lighting display system; which currently is only available on the County's Morrison Bridge.
- d. Because of the proposed new agreement, the Board now finds that the public's interest is best served by the repeal of the Special Bridge Lighting Ordinance and the discontinuance of the Special Bridge Lighting Committee created by Resolution 08-007.

Multnomah County Ordains as follows:

Section 1. MCC §§ 29.725 – 29.729, the Special Bridge Lighting Ordinance, are repealed, and the Special Bridge Lighting Committee created by Resolution 08-007 is dissolved.

FIRST READING:

May 14, 2009

SECOND READING AND ADOPTION:

May 21, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Commissioner Deborah Kafoury, District 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1133

Repealing MCC §§ 29.725-29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge Lighting Committee

The Multnomah County Board of Commissioners Finds:

- a. On February 7, 2008, by Ordinance 1109, the Board established a special bridge architectural lighting display permit program. The Board concurrently adopted Resolution 08-007 establishing a Special Bridge Lighting Committee to review applications and make recommendations to the Chair regarding proposed lighting displays.
- b. Since the adoption of Ordinance 1109, the lighting display program has not had active public participation.
- c. The County is now planning to execute a new agreement with the non-profit group the "Willamette Light Brigade" to better promote and encourage the participation of the public in the use of the lighting display system; which currently is only available on the County's Morrison Bridge.
- d. Because of the proposed new agreement, the Board now finds that the public's interest is best served by the repeal of the Special Bridge Lighting Ordinance and the discontinuance of the Special Bridge Lighting Committee created by Resolution 08-007.

Multnomah County Ordains as follows:

Section 1. MCC §§ 29.725 – 29.729, the Special Bridge Lighting Ordinance, are repealed, and the Special Bridge Lighting Committee created by Resolution 08-007 is dissolved.

FIRST READING:

May 14, 2009

SECOND READING AND ADOPTION:

May 21, 2009

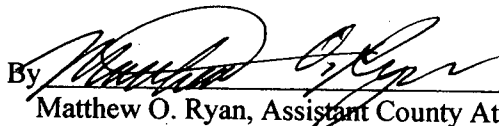


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Commissioner Deborah Kafoury, District 1



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-4
Est. Start Time: 9:40 AM
Date Submitted: 05/12/09

Agenda Title: RESOLUTION Recognizing the Work of the Oregon Human Trafficking Task Force and Supporting the Oregonians Against Trafficking Humans Campaign

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 15 mins
District 4 – Commissioner
Department: Non-Departmental Division: McKeel
Contact(s): Corie Wiren
Phone: 503-988-5213 Ext. 26213 I/O Address: 503/6
Presenter(s): Commissioner Diane McKeel and Portland City Commissioner Dan Saltzman

General Information

1. What action are you requesting from the Board?

Adopt a resolution recognizing human trafficking as a local and international issue. Recognize the work of the Oregon Human Trafficking Task Force (OHTTF) and support the Oregonians Against Trafficking Humans (OATH) campaign.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Second only to the drug trade, human trafficking is the largest criminal industry in the world, and the fastest growing crime on the planet. In 2007, human slave traders made more money than Google, Nike and Starbucks combined. There are currently 27 million men, women, and children enslaved globally. This is not just an international crisis.

Today, right here in the United States, it is estimated that 300,000 minors are being trafficked for sexual exploitation. Ninety percent of the victims are American citizens. The most recent FBI Operation Cross Country sting found Portland has the second highest standing in the country for sex trafficking with over 50 percent of those victims being children.

The Oregon Human Trafficking Task Force (OHTTF) is a federally appointed task force responsible

for spreading awareness, educating citizens, identifying victims and connecting them to services, and to gather evidence in trafficking cases. The Oregonians Against Trafficking Humans (OATH) campaign is a state wide campaign being run by OHTTF to educate and enlist the citizens of Oregon in the fight to eradicate both sex and labor trafficking within their state. The OHTTF works with frontline law enforcement, federal, state, and local government agencies, investigating bodies and other organizations that are actively involved in combating human trafficking in Multnomah County and the state of Oregon.

There are efforts all across the nation currently underway to change the way human trafficking is dealt with in recognition of the growing number of domestic and international victims. These efforts include recognizing victims as such and not as criminals, building safe houses and strengthening state and federal laws.

3. Explain the fiscal impact (current year and ongoing).

none

4. Explain any legal and/or policy issues involved.

Under the Federal Trafficking Victims Protection Act of 2000 (TVPA), any child under the age of 18 being sexually exploited is a victim of human trafficking and is entitled to appropriate services.

5. Explain any citizen and/or other government participation that has or will take place.

Commissioner Dan Saltzman with the City of Portland is bringing forward the same resolution for consideration at the City of Portland. Multnomah County will work with the City of Portland, other governmental and non-governmental agencies to fight human trafficking.

Required Signature

Elected Official or
Department/
Agency Director:

Diane McKel

Date: May 12, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Recognizing the Work of the Oregon Human Trafficking Task Force and Supporting the Oregonians Against Trafficking Humans Campaign

The Multnomah County Board of Commissioners Finds:

- a. Today, right here in the United States, it is estimated that 300,000 minors are being trafficked for sexual exploitation. Ninety percent of the victims are American citizens.
- b. The average age of entry into the sex industry is 12 years old.
- c. The Oregon Human Trafficking Task Force (OHTTF) is a federally appointed task force responsible for spreading awareness, educating citizens, identifying victims and connecting them to services, and to gather evidence in trafficking cases. The Oregonians Against Trafficking Humans (OATH) campaign is a state wide campaign being run by OHTTF to educate and enlist the citizens of Oregon in the fight to eradicate both sex and labor trafficking within their state. The OHTTF works with frontline law enforcement, federal, state, and local government agencies, investigating bodies and other organizations that are actively involved in combating human trafficking in Multnomah County and the state of Oregon.
- d. Under the Federal Trafficking Victims Protection Act of 2000, any child under the age of 18 being sexually exploited is a victim of human trafficking and is entitled to appropriate services.

The Multnomah County Board of Commissioners Resolves:

1. The County will work with the City of Portland and other jurisdictions to fight human trafficking.
2. The Board supports OATH's campaign and its efforts to educate residents of Multnomah County about human trafficking.

ADOPTED this 21st day of May 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Diane McKeel, Commissioner, District 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-059

Recognizing the Work of the Oregon Human Trafficking Task Force and Supporting the Oregonians Against Trafficking Humans Campaign

The Multnomah County Board of Commissioners Finds:

- a. Today, right here in the United States, it is estimated that 300,000 minors are being trafficked for sexual exploitation. Ninety percent of the victims are American citizens.
- b. The average age of entry into the sex industry is 12 years old.
- c. The Oregon Human Trafficking Task Force (OHTTF) is a federally appointed task force responsible for spreading awareness, educating citizens, identifying victims and connecting them to services, and to gather evidence in trafficking cases. The Oregonians Against Trafficking Humans (OATH) campaign is a state wide campaign being run by OHTTF to educate and enlist the citizens of Oregon in the fight to eradicate both sex and labor trafficking within their state. The OHTTF works with frontline law enforcement, federal, state, and local government agencies, investigating bodies and other organizations that are actively involved in combating human trafficking in Multnomah County and the state of Oregon.
- d. Under the Federal Trafficking Victims Protection Act of 2000, any child under the age of 18 being sexually exploited is a victim of human trafficking and is entitled to appropriate services.

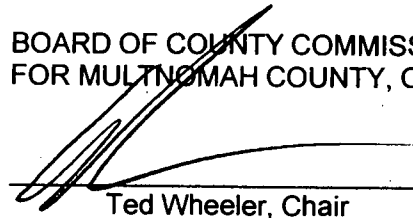
The Multnomah County Board of Commissioners Resolves:

1. The County will work with the City of Portland and other jurisdictions to fight human trafficking.
2. The Board supports OATH's campaign and its efforts to educate residents of Multnomah County about human trafficking.

ADOPTED this 21st day of May 2009



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra Duffy for
Agnes Sowle, County Attorney

SUBMITTED BY:
Diane McKeel, Commissioner, District 4



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-5
Est. Start Time: 9:55 AM
Date Submitted: 05/13/09

Agenda Title: RESOLUTION Approving a Memorandum of Understanding Regarding Oregon State House Bill 3056

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 10 minutes
Department: Non-Departmental Division: Commissioner Jeff Cogen
Contact(s): Marissa Madrigal
Phone: 503-988-5239 Ext. 85239 I/O Address: 501/6th/Cogen
Presenter(s): Commissioner Jeff Cogen, Marissa Madrigal, Phillip Kennedy Wong, Mark Campbell

General Information

1. What action are you requesting from the Board?

Approval of a non-binding Memorandum of Understanding with the negotiating parties involved in the creation of House Bill 3056, which would amend the Oregon State Statute 457 governing Urban Renewal.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 2009, parties including Multnomah County, the City of Portland, the Special Districts Association of Oregon (SDAO), Clackamas Fire District #1, Tualatin Valley Fire and Rescue (TVF&R), Oregon Fire Chiefs Association, Oregon School Boards Association, Oregon Fire District Directors Association, Association of Oregon Redevelopment Agencies (AORA), Association of Oregon Counties (AOC), League of Oregon cities (LOC), Portland Development Commissioner (PDC), and Clackamas County, came together to work on compromise legislation addressing long-standing complaints about urban renewal funding mechanisms. Supported by House Speaker Dave Hunt, the parties met over several months, eventually agreeing to a series of changes in the law that would apply to urban renewal districts statewide. As a goodwill gesture, the parties involved have been asked to approve a Memorandum of Understanding regarding future legislation.

3. Explain the fiscal impact (current year and ongoing).

There is no fiscal impact to Multnomah County as a result of approving this MOU.

4. Explain any legal and/or policy issues involved.

The changes agreed to and documented in HB 3056 would allow the sharing of tax increment in urban renewal areas with other taxing jurisdictions for the first time. Revenue sharing is triggered when the tax increment collected in an urban renewal area reaches 3% of its maximum indebtedness per year. All increment collected above 3% will be shared between the urban renewal agency and other taxing jurisdictions on a 75%/25% split. Sharing is triggered again when the increment collected reaches 10% of maximum indebtedness, but 100% of increment above 10% of maximum indebtedness will be returned to other taxing jurisdictions.

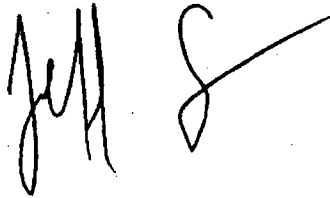
Additional include limits on the maximum indebtedness of new plans and the requirement of the approval of 75% of overlapping taxing jurisdictions when urban renewal plans are amended to increase maximum indebtedness of a district by 20% or more.

5. Explain any citizen and/or other government participation that has or will take place.

HB 3056 had several hearings and was passed by the Oregon House of Representatives 55-0 May 8, 2009.

Required Signature

**Elected Official or
Department/
Agency Director:**

A handwritten signature in black ink, appearing to be 'JH S', is written over a horizontal line.

Date: 05/13/09

A-Engrossed House Bill 3056

Ordered by the House May 4
Including House Amendments dated May 4

Sponsored by Representatives HUNT, HOLVEY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Requires 50 percent of increment to be added to total assessed value of property within urban renewal area whenever increment equals total assessed value.]

Sets initial maximum indebtedness for specified urban renewal plans.

Increases, on July 1 of each year, beginning in 2010, allowable amount of initial maximum indebtedness for plans that are not large metropolitan plans by use of specified index and for large metropolitan plans by use of change in average construction costs.

Allows urban renewal agency to amend certain plans to increase maximum indebtedness.

Allows urban renewal agency and entity authorized to exercise powers of urban renewal agency to limit collection of taxes under specified circumstances and according to specified procedures.

Allows urban renewal agency to notify assessor to collect maximum division of taxes for newly approved urban renewal plans and substantially amended plans, including certain plans classifiable as large metropolitan plans. Creates exceptions.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to urban renewal; creating new provisions; amending ORS 457.190, 457.220, 457.420, 457.440, 457.450 and 457.460; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 457.190 is amended to read:

457.190. (1) An urban renewal agency may borrow money and accept advances, loans, grants and any other form of financial assistance from the federal government, the state, county or other public body, or from any sources, public or private, for the purposes of undertaking and carrying out urban renewal projects.

(2) An urban renewal agency may do all things necessary or desirable to secure such financial aid, including obligating itself in any contract with the federal government for federal financial aid to convey to the federal government the project to which the contract relates upon the occurrence of a substantial default thereunder, in the same manner as a housing authority may do to secure such aid in connection with blighted area clearance and housing projects under the Housing Authorities Law.

(3)(a) Each urban renewal plan adopted by ordinance on or after July 14, 1997, that provides for a division of taxes pursuant to ORS 457.440 shall include in the plan the maximum amount of indebtedness that may be issued or incurred under the plan. Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not included in the plan, the urban renewal agency may not issue indebtedness for which taxes divided under ORS 457.440 are to be pledged to carry out the plan.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

(b) Each urban renewal plan adopted by ordinance on or after December 6, 1996, and before July 14, 1997, that provides for a division of taxes pursuant to ORS 457.440 but does not include a maximum amount of indebtedness that may be issued or incurred under the plan shall be changed, by substantial plan amendment pursuant to ORS 457.220, to include the maximum amount of indebtedness that may be issued or incurred under the plan before July 1, 2000. Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not included in the plan on or before July 1, 2000, the urban renewal agency may not on or after July 1, 2000, issue indebtedness for which taxes divided under ORS 457.440 are to be pledged to carry out the plan.

(c)(A) Each existing urban renewal plan that provides for a division of taxes pursuant to ORS 457.420 to 457.460 may be changed by substantial amendment no later than July 1, 1998, to include a maximum amount of indebtedness that may be issued or incurred under the plan determined as described in subparagraph (B) of this paragraph. The additional notices required under ORS 457.120 are not required for an amendment adopted pursuant to this paragraph.

(B) The maximum amount of indebtedness that may be issued or incurred under the plan, as determined for purposes of meeting the requirements of this paragraph, shall be based upon good faith estimates of the scope and costs of projects, including but not limited to increases in costs due to reasonably anticipated inflation, in the existing urban renewal plan and the schedule for their completion as completion dates were anticipated as of December 5, 1996. The maximum amount of indebtedness shall be specified in dollars and cents.

(C) Notwithstanding subsection (1) of this section, if a maximum amount of indebtedness is not adopted for an existing urban renewal plan as described in this paragraph before July 1, 1998, the urban renewal agency may not collect funds under ORS 457.435.

(4) For an urban renewal plan first approved on or after the effective date of this 2009 Act, other than for a large metropolitan plan as defined in section 10 of this 2009 Act, the initial maximum indebtedness that may be issued or incurred under the plan shall be established as follows:

(a) If the total assessed value in the certified statement under ORS 457.430 is less than or equal to \$50 million, the initial maximum indebtedness may not exceed \$50 million.

(b) If the total assessed value in the certified statement is more than \$50 million and less than or equal to \$150 million, the initial maximum indebtedness may not exceed \$50 million plus 50 percent of the total assessed value in the certified statement that is over \$50 million.

(c) If the total assessed value in the certified statement exceeds \$150 million, the initial maximum indebtedness may not exceed \$100 million, plus 35 percent of the total assessed value in the certified statement that is over \$150 million.

(d) Beginning July 1, 2010, the dollar limits set forth in this subsection may be increased on July 1 of each year by the index used in the urban renewal report to compute the future costs of projects that will be financed under the plan.

(e) The limits in this subsection do not apply if the agency obtains concurrence as provided in section 10 of this 2009 Act.

SECTION 2. ORS 457.220 is amended to read:

457.220. (1) Except for the provisions of [subsection] subsections (2) and (4) of this section, an urban renewal agency shall carry out the urban renewal plan approved under ORS 457.095.

(2) Any substantial change made in the urban renewal plan shall, before being carried out, be approved and recorded in the same manner as the original plan.

(3) No land equal to more than 20 percent of the total land area of the original plan shall be

added to the urban renewal areas of a plan by amendments.

(4)(a) On or after the effective date of this 2009 Act, the urban renewal agency may amend a plan that is not a large metropolitan plan as defined in section 10 of this 2009 Act to increase the maximum indebtedness.

(b) The aggregate of all amendments under this subsection may not exceed 20 percent of the plan's initial maximum indebtedness, as adjusted pursuant to paragraph (c) of this subsection.

(c) For purposes of computing the 20 percent limit on increases in maximum indebtedness, the initial maximum indebtedness may be increased annually on the anniversary date of initial approval of the plan by the index used in the urban renewal report to compute the future costs of projects that will be financed under the plan, beginning on the later of July 1, 1999, or the first anniversary of plan approval. This increase may be applied only to the first amendment to the maximum indebtedness that is made on or after the effective date of this 2009 Act.

(d) The limits in this subsection do not apply if the agency obtains concurrence as provided in section 10 of this 2009 Act.

SECTION 3. ORS 457.420 is amended to read:

457.420. (1) Any urban renewal plan may contain a provision that the ad valorem taxes, if any, levied by a taxing district in which all or a portion of an urban renewal area is located, shall be divided as provided in section 1c, Article IX of the Oregon Constitution, and ORS 457.420 to 457.460. Ad valorem taxes shall not be divided if there is no provision in the urban renewal plan for the division.

(2) No plan adopted after October 3, 1979, shall provide for a division of ad valorem taxes under subsection (1) of this section if:

(a) For municipalities having a population of more than 50,000, according to the latest state census:

(A) The assessed value for the urban renewal areas of the plan, when added to the total assessed value previously certified by the assessor for other urban renewal plans of the municipality for which a division of ad valorem taxes is provided, exceeds a figure equal to 15 percent of the total assessed value of that municipality, exclusive of any increased assessed value for other urban renewal areas and without regard to adjustments made pursuant to ORS 457.435 (2)(c) or section 7 or 10 (2) to (5) of this 2009 Act; or

(B) The urban renewal areas of the plan when added to the areas included in other urban renewal plans of the municipality providing for a division of ad valorem taxes, exceed a figure equal to 15 percent of the total land area of that municipality.

(b) For municipalities having a population of less than 50,000, according to the latest state census:

(A) The assessed value for the urban renewal areas of the plan, when added to the total assessed value previously certified by the assessor for other urban renewal plans of the municipality for which a division of ad valorem taxes is provided, exceeds a figure equal to 25 percent of the total assessed value of that municipality, exclusive of any increased assessed value for other urban renewal areas and without regard to adjustments made pursuant to ORS 457.435 (2)(c) or section 7 or 10 (2) to (5) of this 2009 Act; or

(B) The urban renewal areas of the plan, when added to the areas included in other urban renewal plans of the municipality providing for a division of ad valorem taxes, exceed a figure equal

to 25 percent of the total land area of that municipality.

(3) Property may not be included in more than one urban renewal area.

SECTION 4. ORS 457.440 is amended to read:

457.440. During the period specified under ORS 457.450:

(1) The county assessor shall determine the amount of funds to be raised each year for urban renewal within the county levied by taxing districts in accordance with section 1c, Article IX of the Oregon Constitution, and ORS 457.420 to 457.460.

(2) Not later than July 15 of each tax year, each urban renewal agency shall determine and file with the county assessor a notice stating the amount of funds to be raised for each urban renewal area as follows:

(a) If the municipality that activated the urban renewal agency has chosen Option One as provided in ORS 457.435 (2)(a), the notice shall state that the maximum amount of funds that may be raised by dividing the taxes under section 1c, Article IX of the Oregon Constitution, shall be raised for the agency.

(b) If the municipality that activated the urban renewal agency has chosen Option Two as provided in ORS 457.435 (2)(b), the notice shall state the amount of funds to be raised by the special levy.

(c) If the municipality that activated the urban renewal agency has chosen Option Three as provided in ORS 457.435 (2)(c), the notice shall state the amount of funds to be raised by special levy in addition to the amount to be raised by dividing the taxes as stated in the ordinance adopted under ORS 457.435 (1).

(d) For plans that are first approved or substantially amended to increase maximum indebtedness on or after the effective date of this 2009 Act, the notice must comply with section 10 of this 2009 Act.

(e) If the agency limits the amount that may be raised by the division of taxes, as provided in section 7 of this 2009 Act, the notice shall comply with section 7 of this 2009 Act.

[(d)] (f) If the plan is not *[an existing plan]* described in paragraph (a), (b), (c), (d) or (e) of this subsection, the notice shall state *[that]* the *[maximum]* amount of funds that may be raised by dividing the taxes, **which amount may not exceed the maximum amount of funds that may be raised by dividing the taxes** under section 1c, Article IX of the Oregon Constitution, *shall be raised for the agency*.

(3) If a municipality has chosen Option Three pursuant to ORS 457.435, the maximum amount of funds that may be raised for an urban renewal agency by dividing the taxes as provided in section 1c, Article IX of the Oregon Constitution, may be limited by the municipality in which the urban renewal agency is located. The decision of the municipality to limit the amount of funds to be included in the notice filed under subsection (2) of this section shall be reflected in the certified statement filed by the urban renewal agency with the county assessor.

(4) Not later than September 25 of each tax year, the assessor of any county in which a joint district is located shall provide, to the assessor of each other county in which the joint district is located, the assessed values of the property in the joint district that is located within the county, including the certified statement value and the increment for each code area containing any urban renewal area located within the joint district, and a copy of the notice filed by the urban renewal agency for the area located within the joint district under subsection (2) of this section.

(5) The maximum amount of funds that may be raised for an urban renewal plan by dividing the taxes as provided in section 1c, Article IX of the Oregon Constitution, shall be computed by the

1 county assessor as follows:

2 (a) The county assessor shall compute the total consolidated billing tax rate for each code area
3 in which an urban renewal area of the plan is located.

4 (b) The assessor shall determine the amount of taxes that would be produced by extending the
5 tax rate computed under paragraph (a) of this subsection against the increment of each code area.

6 (c) The total amount determined for all code areas containing urban renewal areas included
7 within the urban renewal plan is the maximum amount of funds to be raised for the urban renewal
8 plan by dividing the taxes.

9 (6)(a) The maximum amount of funds that may be raised for an urban renewal agency as deter-
10 mined under subsection (5) of this section, or the maximum amount, as determined under subsection
11 (2) of this section, shall be certified by the county assessor to the tax collector. The tax collector
12 shall include the amount so certified in the percentage schedule of the ratio of taxes on property
13 prepared under ORS 311.390 and filed with the county treasurer. Notwithstanding ORS 311.395 (6),
14 the county treasurer shall credit the amount to the urban renewal agency and shall distribute its
15 percentage amount to the urban renewal agency as determined by the schedule at the times other
16 distributions are made under ORS 311.395 (7).

17 (b) The county assessor shall notify the urban renewal agency of the amounts received under
18 subsection (5) of this section or amounts received pursuant to the notice provided in subsection (2)
19 of this section for each urban renewal plan area. Any amounts received by the urban renewal
20 agency under paragraph (a) of this subsection shall be attributed to the urban renewal plan in which
21 the urban renewal area is included, shall be paid into a special fund of the urban renewal agency
22 for the urban renewal plan and shall be used to pay the principal and interest on any indebtedness
23 issued or incurred by the urban renewal agency to finance or refinance the urban renewal plan.

24 (7) Unless and until the total assessed value of the taxable property in an urban renewal area
25 exceeds the total assessed value specified in the certified statement, all of the ad valorem taxes
26 levied and collected upon the taxable property in the urban renewal area shall be paid into the
27 funds of the respective taxing districts.

28 (8) The agency may incur indebtedness, including obtaining loans and advances in carrying out
29 the urban renewal plan, and the portion of taxes received under this section may be irrevocably
30 pledged for the payment of principal of and interest on the indebtedness.

31 (9) The Department of Revenue shall by rule establish procedures for giving notice of amounts
32 to be raised for urban renewal agencies and for determination of amounts to be raised and distrib-
33 uted to urban renewal agencies.

34 (10) The notice required under this section shall serve as the notice required under ORS 310.060
35 for the special levy described under ORS 457.435.

36 (11) **Notwithstanding any other provision of this chapter, a city with a population of more**
37 **than 500,000 on the effective date of this 2009 Act may, in lieu of its urban renewal agency,**
38 **take any actions that an urban renewal agency is authorized to take under this section and**
39 **any other actions that are required to certify, collect, receive, hold and apply tax revenues**
40 **raised for the urban renewal agency under section 1c, Article IX of the Oregon Constitution,**
41 **and taxes authorized for the urban renewal agency by section 11 (16), Article XI of the**
42 **Oregon Constitution.**

43 **SECTION 5.** ORS 457.450 is amended to read:

44 457.450. (1)(a) ORS 457.440 shall first apply to the assessment roll next following the tax roll
45 referred to in ORS 457.430 if the assessor is provided notice of a plan adoption or amendment

1 changing area boundaries by the agency prior to January 1 before the tax year to which the plan
2 first applies.

3 (b) If the assessor is not provided notice of plan adoption or amendment changing area bound-
4 aries by the agency prior to January 1 before the tax year to which ORS 457.440 would otherwise
5 first apply, then ORS 457.440 shall first apply to the assessment roll next following the assessment
6 roll described in paragraph (a) of this subsection.

7 (2) When the principal and interest on the **maximum indebtedness of an urban renewal plan**
8 to which the portion of taxes is irrevocably pledged for payment under ORS 457.435 or 457.440 is
9 fully paid, or it is found that deposits in the special fund are sufficient to fully pay principal and
10 interest on *[that]* the **maximum** indebtedness either through direct payment of the indebtedness or
11 by payment of principal and interest on bonds or notes issued to finance the indebtedness, the
12 agency shall notify the assessor of that fact.

13 (3) All moneys remaining unexpended from the special fund provided for in ORS 457.435 or
14 457.440, after payment of all the principal and interest on indebtedness is provided for, shall be
15 turned over to the county treasurer by the agency and prorated by the treasurer back to the taxing
16 districts in which the area, or part thereof, is located, in proportion to the amount of money in the
17 fund attributable to each taxing district for the last fiscal year in which tax levy moneys were paid
18 into the special fund of the agency under ORS 457.435 or 457.440.

19 **SECTION 6.** Section 7 of this 2009 Act is added to and made a part of ORS chapter 457.

20 **SECTION 7.** (1) If the maximum amount of funds under ORS 457.440 is not required to
21 pay the principal and interest on indebtedness incurred for an urban renewal plan, the urban
22 renewal agency may take formal action to limit collections under a plan for a single fiscal
23 year, and may notify the county assessor pursuant to ORS 457.440 (2)(e) to compute the di-
24 vision of taxes for the urban renewal area using an assessed value that is equal to the
25 amount specified by the agency. The agency may not specify an amount that is greater than
26 the increment.

27 (2) If the maximum amount of funds under ORS 457.440 is not required to pay the prin-
28 cipal and interest on indebtedness incurred for an urban renewal plan, the entity authorized
29 to exercise the powers of an urban renewal agency pursuant to ORS 457.045 may limit future
30 collections under a plan by notifying the county assessor to permanently increase the
31 amount of the total assessed value included in the certified statement filed under ORS
32 457.430. The assessed value included in the certified statement may not be subsequently de-
33 creased except in connection with boundary changes.

34 (3) Before taking formal action under this section, the urban renewal agency shall con-
35 sult and confer with each taxing district affected by the urban renewal plan.

36 **SECTION 8.** ORS 457.460 is amended to read:

37 457.460. (1) *[An agency shall, by August 1 of each year,]* Not later than January 31 of each
38 year, an urban renewal agency shall prepare a statement on the same basis on which its financial
39 statements are prepared containing:

40 (a) The amount of money received during the preceding fiscal year under ORS 457.420 to 457.460
41 and from indebtedness incurred under ORS 457.420 to 457.460;

42 (b) The purposes and amounts for which any money received under ORS 457.420 to 457.460 and
43 from indebtedness incurred under ORS 457.420 to 457.460 were expended during the preceding fiscal
44 year;

45 (c) An estimate of moneys to be received during the current fiscal year under ORS 457.420 to

1 457.460 and from indebtedness incurred under ORS 457.420 to 457.460;

2 (d) A budget setting forth the purposes and estimated amounts for which the moneys which have
3 been or will be received under ORS 457.420 to 457.460 and from indebtedness incurred under ORS
4 457.420 to 457.460 are to be expended during the current fiscal year; and

5 (e) An analysis of the impact, if any, of carrying out the urban renewal plan on the tax col-
6 lections for the preceding year for all taxing districts included under ORS 457.430.

7 (2) The statement required by subsection (1) of this section shall be filed with the governing
8 body of the municipality. Notice shall be published that the statement has been prepared and is on
9 file with the municipality and the agency and the information contained in the statement is available
10 to all interested persons. The notice shall be published once a week for not less than two successive
11 weeks before [September 1] March 1 of the year [for] in which the statement is [required] filed, in
12 accordance with ORS 457.115. The notice shall summarize the information required under subsection
13 (1)(a) to (d) of this section and shall set forth in full the information required under subsection (1)(e)
14 of this section.

15 **SECTION 9. Section 10 of this 2009 Act is added to and made a part of ORS chapter 457.**

16 **SECTION 10. (1) As used in this section, unless the context requires otherwise:**

17 (a) "Assumed increment" means the assessed value of the increment in the prior year,
18 increased by the average percentage increase of the increment, if any, during the three prior
19 years.

20 (b) "Frozen base" means the assessed value of the property located in an urban renewal
21 area as specified in the certified statement prepared pursuant to ORS 457.430, without regard
22 to adjustments made pursuant to subsection (9) of this section or ORS 457.435 (2)(c) or sec-
23 tion 7 of this 2009 Act.

24 (c) "Large metropolitan plan" means a plan for an urban renewal area by a city with a
25 population of more than 500,000 on the effective date of this 2009 Act and that is either first
26 approved on or after the effective date of this 2009 Act or is substantially amended to in-
27 crease maximum indebtedness on or after the effective date of this 2009 Act.

28 (d) "Maximum division of taxes" means the maximum amount of funds that may be
29 raised for an urban renewal plan by dividing the taxes as provided in section 1c, Article IX
30 of the Oregon Constitution, as described in ORS 457.440 (5), without regard to assessed values
31 specified in notices to assessors under this section or adjustments of the frozen base made
32 pursuant to subsection (9) of this section or ORS 457.435 (2)(c) or section 7 of this 2009 Act.

33 (e) "Transition amount" means the maximum division of taxes for a plan in the year in
34 which the plan is first substantially amended to increase maximum indebtedness on or after
35 the effective date of this 2009 Act.

36 (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, an urban renewal
37 agency may notify the assessor to collect the maximum division of taxes for a plan, other
38 than a large metropolitan plan, that is first approved on or after the effective date of this
39 2009 Act.

40 (b) Beginning with the later of the eleventh year after the initial approval of the plan or
41 the first year after the year in which the maximum division of taxes equals or exceeds 10
42 percent of the initial maximum indebtedness in the plan, the agency shall notify the assessor
43 pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area
44 using an assessed value that is the sum of:

45 (A) The amount of assessed value the agency estimates will produce division of tax re-

venues equal to 10 percent of the initial maximum indebtedness in the plan; and

(B) 25 percent of the amount by which the assumed increment exceeds the assessed value of the increment the agency estimates will produce division of tax revenues that are equal to 10 percent of the initial maximum indebtedness in the plan.

(c) Beginning with the first year after the year in which the division of taxes equals or exceeds 12.5 percent of the initial maximum indebtedness in the plan, the agency shall notify the assessor pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area using an amount of assessed value that the agency estimates will produce division of tax revenues equal to 12.5 percent of the initial maximum indebtedness in the plan.

(d) After computing the assessed value as required under paragraph (b) or (c) of this subsection, an urban renewal agency shall further modify the value if, for reasons other than use of the assumed increment, the value included in the prior year's notice to the assessor resulted in division of tax revenues different from the respective target amounts under paragraphs (b) and (c) of this subsection. The modification under this paragraph may not exceed an amount that would result in the difference between the actual revenues and the target amounts.

(3)(a) Except as provided in paragraphs (b) and (c) of this subsection, an urban renewal agency may notify the assessor to collect the maximum division of taxes for a plan, other than a large metropolitan plan, that is substantially amended on or after the effective date of this 2009 Act to increase maximum indebtedness.

(b) Beginning with the later of the year after the year in which the plan is substantially amended or the eleventh year after the plan was initially approved, when the maximum division of taxes exceeds 10 percent of the initial maximum indebtedness in the plan, the agency shall notify the assessor pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area using an assessed value that is the sum of:

(A) The amount of assessed value the agency estimates will produce division of tax revenues equal to the greater of:

(i) 10 percent of the initial maximum indebtedness in the plan; or

(ii) The transition amount; and

(B) 25 percent of the amount by which the assumed increment exceeds the assessed value of the increment the agency estimates will produce division of tax revenues that are equal to the greater of:

(i) 10 percent of the initial maximum indebtedness in the plan; or

(ii) The transition amount.

(c) Beginning with the first year after the year in which the division of taxes equals or exceeds the greater of 12.5 percent of the initial maximum indebtedness in the plan or the transition amount, the agency shall notify the assessor pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area using an amount of assessed value that the agency estimates will produce division of tax revenues equal to the greater of 12.5 percent of the initial maximum indebtedness in the plan or the transition amount.

(d) After computing the assessed value as required under paragraph (b) or (c) of this subsection, an agency shall further modify the value if, for reasons other than use of the assumed increment, the value included in the prior year's notice to the assessor resulted in division of tax revenues different from the respective target amounts under paragraphs (b) and (c) of this subsection. The modification under this paragraph may not exceed an amount

1 that would result in the difference between the actual revenues and the target amounts.

2 (4)(a) Except as provided in paragraphs (b) to (d) of this subsection, an urban renewal
3 agency may notify the assessor to collect the maximum division of taxes for a large metro-
4 politan plan that is first approved on or after the effective date of this 2009 Act.

5 (b) In the first year after the year in which the maximum division of taxes exceeds three
6 percent of the initial maximum indebtedness in the plan, the agency shall notify the assessor
7 pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area
8 using an assessed value that is the sum of:

9 (A) The amount of assessed value the agency estimates will produce division of tax re-
10 venues equal to three percent of the initial maximum indebtedness in the plan; and

11 (B) 75 percent of the amount by which the assumed increment exceeds the assessed value
12 of the increment the agency estimates will produce division of tax revenues equal to three
13 percent of the initial maximum indebtedness in the plan.

14 (c) Except as provided in paragraph (d) of this subsection, beginning with the year after
15 the year described in paragraph (b) of this subsection, the agency shall notify the assessor
16 pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area
17 using an assessed value that is the sum of:

18 (A) The amount of assessed value the agency estimates will produce division of tax re-
19 venues equal to the greatest amount of division of tax revenues the agency was permitted
20 to use in any prior year to compute assessed value under this paragraph or paragraph (b)
21 of this subsection; and

22 (B) 75 percent of the amount by which the assumed increment exceeds the assessed value
23 of the increment the agency estimates will produce division of tax revenues equal to the
24 greatest amount of division of tax revenues the agency was permitted to use in any prior
25 year under this paragraph or paragraph (b) of this subsection.

26 (d) Beginning with the first year after the year described in paragraph (c) of this sub-
27 section in which the division of tax revenues equal or exceed 10 percent of the initial maxi-
28 mum indebtedness in the plan, the agency shall notify the assessor pursuant to ORS 457.440
29 (2)(d) to compute the division of taxes for the urban renewal area using an amount of as-
30 sessed value the agency estimates will produce division of tax revenues equal to 10 percent
31 of the initial maximum indebtedness in the plan.

32 (e) After computing the assessed value as required under paragraph (b), (c) or (d) of this
33 subsection, an agency shall further modify the value if, for reasons other than use of the
34 assumed increment, the value included in the prior year's notice to the assessor resulted in
35 division of tax revenues different from the respective target amounts under paragraphs (b)
36 to (d) of this subsection. The modification under this paragraph may not exceed an amount
37 that would result in the difference between the actual revenues and the target amounts.

38 (5)(a) Except as provided in paragraphs (b) to (d) of this subsection, an urban renewal
39 agency may notify the assessor to collect the maximum division of taxes for an urban re-
40 newal plan that becomes a large metropolitan plan because it is substantially amended to
41 increase its maximum indebtedness on or after the effective date of this 2009 Act.

42 (b) In the first year following a year on or after the effective date of this 2009 Act in
43 which the plan was substantially amended to increase maximum indebtedness that the max-
44 imum division of taxes exceeds three percent of the maximum indebtedness in effect for the
45 plan immediately before the plan was amended, the agency shall notify the assessor pursuant

1 to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area using an
2 assessed value that is the sum of:

3 (A) The amount of assessed value the agency estimates will produce division of tax re-
4 venues equal to the greater of:

5 (i) The transition amount; or

6 (ii) Three percent of the maximum indebtedness in the plan immediately before the plan
7 was amended to increase maximum indebtedness; and

8 (B) 75 percent of the amount by which the assumed increment exceeds the assessed value
9 of the increment the agency estimates will produce division of tax revenues equal to the
10 greater of:

11 (i) The transition amount; or

12 (ii) Three percent of the maximum indebtedness in the plan immediately before the plan
13 was amended to increase maximum indebtedness.

14 (c) Except as provided in paragraph (d) of this subsection, beginning with the year after
15 the year described in paragraph (b) of this subsection, the agency shall notify the assessor
16 pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban renewal area
17 using an assessed value that is the sum of:

18 (A) The amount of assessed value the agency estimates will produce division of tax re-
19 venues equal to the greatest amount of division of tax revenues the agency was permitted
20 to use in any prior year to compute assessed value under this paragraph or paragraph (b)
21 of this subsection; and

22 (B) 75 percent of the amount by which the assumed increment exceeds the assessed value
23 of the increment the agency estimates will produce division of tax revenues equal to the
24 greatest amount of division of tax revenues the agency was permitted to use in any prior
25 year under this paragraph or paragraph (b) of this subsection.

26 (d) Beginning with the first year after the year described in paragraph (c) of this sub-
27 section in which the division of tax revenues equal or exceed the greater of the transition
28 amount or 10 percent of the maximum indebtedness in effect for the plan immediately before
29 the plan was amended to increase maximum indebtedness, the agency shall notify the
30 assessor pursuant to ORS 457.440 (2)(d) to compute the division of taxes for the urban re-
31 newal area using an amount of assessed value the agency estimates will produce division of
32 tax revenues equal to the greater of the transition amount or 10 percent of the maximum
33 indebtedness in effect for the plan immediately before the plan was amended to increase
34 maximum indebtedness.

35 (e) After computing the assessed value as required under paragraph (b), (c) or (d) of this
36 subsection, an agency shall further modify the value if, for reasons other than use of the
37 assumed increment, the value included in the prior year's notice to the assessor resulted in
38 division of tax revenues different from the respective target amounts under paragraphs (b)
39 to (d) of this subsection. The modification under this paragraph may not exceed an amount
40 that would result in the difference between the actual revenues and the target amounts.

41 (6)(a) The initial maximum indebtedness for a large metropolitan plan that is first ap-
42 proved after the effective date of this 2009 Act may not exceed the sum of:

43 (A) \$50 million;

44 (B) 50 percent of the amount by which the initial frozen base for the plan exceeds \$50
45 million but is less than or equal to \$150 million; and

(C) 35 percent of the amount by which the initial frozen base exceeds \$150 million.

(b) The dollar amounts in this subsection may be adjusted as provided in this subsection. Dollar amounts for large metropolitan plans that are subject to adjustment under this subsection may be increased on July 1 of any year beginning in 2010, by the percent change in average construction costs since July 1, 2009, according to the Engineering News-Record Northwest (Seattle, Washington) Construction Cost Index. The adjusted dollar amounts may be used only when a large metropolitan plan is first approved.

(c) The maximum indebtedness may not be increased by more than 20 percent of the initial maximum indebtedness of the plan.

(d) The maximum indebtedness for a plan that becomes a large metropolitan plan because it is substantially amended on or after the effective date of this 2009 Act to increase its maximum indebtedness may not be increased above 20 percent of the maximum indebtedness in effect for the plan immediately before the first substantial amendment to increase maximum indebtedness in effect for the plan that was made on or after the effective date of this 2009 Act.

(7) Limitations on maximum indebtedness do not apply to the extent the municipality approving a plan obtains the written concurrence of taxing districts imposing at least 75 percent of the amount of taxes imposed under permanent rate limits in the urban renewal area. For plans that are initially approved or substantially amended on or after the effective date of this 2009 Act, compliance with this section is determined based on the amount of taxes imposed under permanent rate limits in the fiscal year prior to the fiscal year in which the plan is approved or amended, as applicable.

(8) For purposes of this section, a plan is treated as approved or amended on the day on which the municipality took final action to enact the nonemergency ordinance approving or amending the plan.

(9) The amounts shown in the certified statement filed under ORS 457.430 are not affected by subsections (2) to (5) of this section. If the increment for an area is less than the assessed value that the assessor is directed to use under subsections (2) to (5) of this section, the division of taxes shall be computed based on the increment and the assessor shall collect the maximum division of taxes for the plan.

(10)(a) Notwithstanding subsection (1) of this section, as used in this subsection, "transition amount" means the maximum division of taxes for the plan in the fiscal year that the first amendment made after June 1, 2008, to increase maximum indebtedness takes effect.

(b) Notwithstanding any provisions in this section to the contrary, an urban renewal plan that was first approved in 1998 and had an initial maximum indebtedness of \$224,780,350 may be substantially amended after June 1, 2008, to increase maximum indebtedness by not more than \$343,719,650.

(c) Except as provided in paragraph (d) of this subsection, an urban renewal agency may notify the assessor to collect the maximum division of taxes for an urban renewal plan described in paragraph (b) of this subsection that is substantially amended to increase its maximum indebtedness after June 1, 2008.

(d) Beginning with the first fiscal year after the fiscal year in which the first amendment made after June 1, 2008, to increase maximum indebtedness in the plan described in paragraph (b) of this subsection takes effect that the maximum division of taxes exceeds three percent of the maximum indebtedness in effect for the plan immediately after the first

1 amendment made after June 1, 2008 to increase maximum indebtedness takes effect, the
2 agency shall notify the assessor pursuant to ORS 457.440 (2)(d) to compute the division of
3 taxes for the urban renewal area using an assessed value that is the sum of:

4 (A) The amount of assessed value the agency estimates will produce division of tax re-
5 venues equal to the greater of:

6 (i) The transition amount; or

7 (ii) Three percent of the maximum indebtedness in effect for the plan immediately after
8 the first amendment made after June 1, 2008, to increase maximum indebtedness takes ef-
9 fect; and

10 (B) 75 percent of the amount by which the assumed increment exceeds the assessed value
11 of the increment the agency estimates will produce division of tax revenues equal to the
12 greater of:

13 (i) The transition amount; or

14 (ii) Three percent of the maximum indebtedness in effect for the plan immediately after
15 the first amendment made after June 1, 2008, to increase maximum indebtedness takes ef-
16 fect.

17 (e)(A) To the extent permitted by law, a plan amendment described in this subsection
18 shall provide direct economic benefits to the county in which the plan's urban renewal area
19 is located in the following amounts:

20 (i) If the plan is substantially amended to increase maximum indebtedness by \$343,719,650
21 or more, at least \$35,000,000.

22 (ii) If the plan is amended to increase maximum indebtedness by less than \$343,719,650,
23 no less than 10.18 percent of any increase in maximum indebtedness.

24 (B) Benefits required under subparagraph (A) of this paragraph shall be paid as follows:

25 (i) \$10,000,000 no later than June 30, 2014; and

26 (ii) The balance no later than June 30, 2021.

27 (11)(a) The Director of the Department of Revenue shall adopt rules necessary to appor-
28 tion assessed value among tax code areas in an urban renewal area for which the urban re-
29 newal agency has notified the assessor pursuant to this section or ORS 457.440 (2)(d) or
30 section 7 of this 2009 Act to compute the division of taxes.

31 (b) The director may adopt any rule necessary or convenient for the imposition and col-
32 lection of taxes under this section or section 7 of this 2009 Act.

33 (12) The taxing bodies within the urban renewal area and the urban renewal agency are
34 not liable for any amount by which amounts intended to be collected pursuant to this section
35 exceed actual tax collections. The sole remedy for any shortfall is the agency's modification
36 of assessed value in subsequent years' notices as provided in subsections (2)(d), (3)(d), (4)(e)
37 and (5)(e) of this section.

38 SECTION 11. This 2009 Act being necessary for the immediate preservation of the public
39 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
40 on its passage.
41

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving a Memorandum of Understanding Regarding Oregon State House Bill 3056

The Multnomah County Board of Commissioners Finds:

- a. County Commissioners and staff have worked with the City of Portland, the Special Districts Association of Oregon (SDAO), Clackamas Fire District #1, Tualatin Valley Fire and Rescue (TVF&R), Oregon Fire Chiefs Association, Oregon School Boards Association, Oregon Fire District Directors Association, Association of Oregon Redevelopment Agencies (AORA), Association of Oregon Counties (AOC), League of Oregon cities (LOC), Portland Development Commissioner (PDC), and Clackamas County, over the last several months to draft changes to urban renewal law that improve its impact on Multnomah County.
- b. Negotiations between these parties have produced an Oregon House Bill 3056.
- c. As a symbol of the parties' willingness to work together in the future on Urban Renewal matters, a non-binding Memorandum of Understanding has been drafted for Board approval.

The Multnomah County Board of Commissioners Resolves:

1. The attached Memorandum of Understanding with the City of Portland, the Special Districts Association of Oregon (SDAO), Clackamas Fire District #1, Tualatin Valley Fire and Rescue (TVF&R), Oregon Fire Chiefs Association, Oregon School Boards Association, Oregon Fire District Directors Association, Association of Oregon Redevelopment Agencies (AORA), Association of Oregon Counties (AOC), League of Oregon cities (LOC), Portland Development Commissioner (PDC), and Clackamas County, is approved and the County Chair is directed to sign the agreement.

ADOPTED this 21st day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Commissioner Jeff Cogen, District 2

MEMORANDUM OF UNDERSTANDING

Intent: The intent of this Memorandum of Understanding (MOU) is to recognize the parties' commitment relating to the development and passage of House Bill 3056, as amended by the parties, and their commitment to future cooperation and communication on issues related to urban renewal districts and tax increment financing. A copy of House Bill 3056 is attached.

By design, this is not a binding legal contract, as elected governing boards cannot bind future boards on matters relating to policy. This is a political statement containing the parties' expression of intent to proceed in good faith substantially in the manner outlined in this MOU. The parties' support and recognize the value of urban renewal districts, but also recognize the need to return property value to the tax rolls in order to provide funding for the services provided by taxing districts. The parties desire to seek cooperation and communication on issues, to limit and seek cooperative positions on new legislation, and, when appropriate, to seek jointly sponsored legislation.

Parties: The parties are listed below. The individual signatories to this MOU will use their best efforts to seek approval from their governing bodies to support the political and collaborative efforts memorialized by this MOU. The individual signatories will confirm their governing boards' action to all other parties in writing.

- Special Districts Association of Oregon (SDAO)
- Clackamas Fire District #1
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- City of Portland
- Portland Development Commission (PDC)
- Clackamas County

The parties acknowledge that they cannot control the actions of individuals or organizations other than their own ("Third Parties").

Term of the MOU: The Term will commence on the latest date of the signature of a party, but no later than April 14, 2009 (Effective Date) until January 1, 2017. The parties may extend the Term by agreement of all the parties. If the attached HB 3056 is not passed during the 2009 legislative term, or is passed with modifications that are not acceptable to a party, this MOU shall be null and void, *ab initio*, as to that party.

Basis for this MOU: The parties' mutual support for the "Cooperative Bill" that is the result of the negotiations (HB 3056, as attached), and the parties' mutual expressions of intent and cooperation in this MOU.

Parties' Good Faith Obligations:

1. The parties will actively support the Cooperative Bill and oppose all other urban renewal related legislation in the 2009 session, except HB 2809 (The Dalles Bill) and excepting the City of Portland, which cannot oppose urban renewal bills related to the David Douglas school district.
2. With the understanding that the parties will work in good faith to fulfill the spirit and letter of the Cooperative Bill, the parties will not initiate new urban renewal legislation during the Term.
3. The parties agree to indicate their opposition to any urban renewal legislation proposed by a Third Party during the Term.
4. Notwithstanding # 1, 2 and 3 above, if general property tax reform is proposed during the Term, or statutory, administrative or constitutional actions are proposed or adopted that affect the operation of urban renewal districts contrary to the expectations under the Cooperative Bill, given the intrinsic impact of such reform on the urban renewal system, the parties may propose or support legislation during the Term to preserve the effectiveness of urban renewal.
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6. Each party will educate its members about the appropriate use of tax increment revenues, and the impact of tax increment financing on overlapping taxing districts, the mutual benefits of the Cooperative Bill, and will instruct its members in implementation of the Bill, acting both in the spirit and according to the letter of the bill.

Oversight Group. The taxing district members and the urban renewal members support the establishment of a joint Oversight Group to provide education to members, monitor the implementation of the Cooperative Bill, solicit potential input about current and proposed urban renewal legislation, and to provide advice and recommendations at the request of groups involved in or affected by urban renewal in Oregon.

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[Insert signature lines]

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-060

Approving a Memorandum of Understanding Regarding Oregon State House Bill 3056

The Multnomah County Board of Commissioners Finds:

- a. County Commissioners and staff have worked with the City of Portland, the Special Districts Association of Oregon (SDAO), Clackamas Fire District #1, Tualatin Valley Fire and Rescue (TVF&R), Oregon Fire Chiefs Association, Oregon School Boards Association, Oregon Fire District Directors Association, Association of Oregon Redevelopment Agencies (AORA), Association of Oregon Counties (AOC), League of Oregon cities (LOC), Portland Development Commissioner (PDC), and Clackamas County, over the last several months to draft changes to urban renewal law that improve its impact on Multnomah County.
- b. Negotiations between these parties have produced an Oregon House Bill 3056.
- c. As a symbol of the parties' willingness to work together in the future on Urban Renewal matters, a non-binding Memorandum of Understanding has been drafted for Board approval.


The Multnomah County Board of Commissioners Resolves:

1. The attached Memorandum of Understanding with the City of Portland, the Special Districts Association of Oregon (SDAO), Clackamas Fire District #1, Tualatin Valley Fire and Rescue (TVF&R), Oregon Fire Chiefs Association, Oregon School Boards Association, Oregon Fire District Directors Association, Association of Oregon Redevelopment Agencies (AORA), Association of Oregon Counties (AOC), League of Oregon cities (LOC), Portland Development Commissioner (PDC), and Clackamas County, is approved and the County Chair is directed to sign the agreement.

ADOPTED this 21st day of May, 2009.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Commissioner Jeff Cogen, District 2

MEMORANDUM OF UNDERSTANDING

Intent: The intent of this Memorandum of Understanding (MOU) is to recognize the parties' commitment relating to the development and passage of House Bill 3056, as amended by the parties, and their commitment to future cooperation and communication on issues related to urban renewal districts and tax increment financing. A copy of House Bill 3056 is attached.

By design, this is not a binding legal contract, as elected governing boards cannot bind future boards on matters relating to policy. This is a political statement containing the parties' expression of intent to proceed in good faith substantially in the manner outlined in this MOU. The parties' support and recognize the value of urban renewal districts, but also recognize the need to return property value to the tax rolls in order to provide funding for the services provided by taxing districts. The parties desire to seek cooperation and communication on issues, to limit and seek cooperative positions on new legislation, and, when appropriate, to seek jointly sponsored legislation.

Parties: The parties are listed below. The individual signatories to this MOU will use their best efforts to seek approval from their governing bodies to support the political and collaborative efforts memorialized by this MOU. The individual signatories will confirm their governing boards' action to all other parties in writing.

- Special Districts Association of Oregon (SDAO)
- Clackamas Fire District #1
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- Oregon School Boards Association
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MOU

04/09/09

Page 1

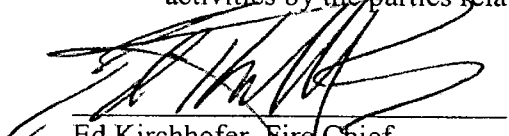
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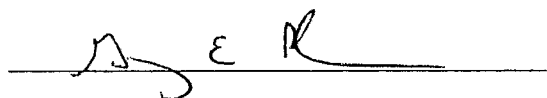
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Ed Kirchhofer, Fire Chief
Clackamas Fire District #1

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SPECIAL DISTRICTS ASSOCIATION OF
OREGON



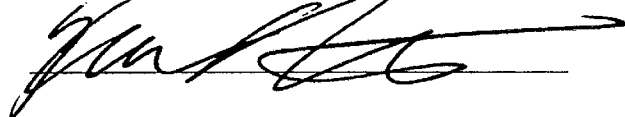
CLACKAMAS FIRE DISTRICT #1



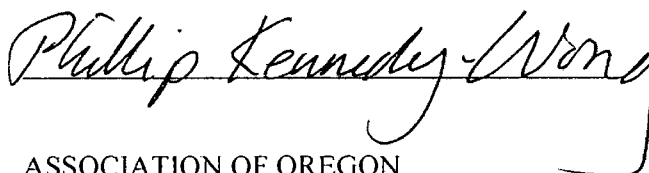
TUALATIN VALLEY FIRE & RESCUE



OREGON FIRE CHIEFS ASSOCIATION



MULTNOMAH COUNTY



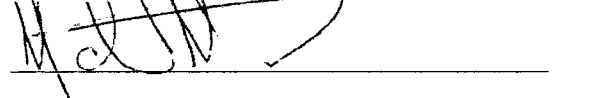
ASSOCIATION OF OREGON
REDEVELOPMENT AGENCIES




ASSOCIATION OF OREGON COUNTIES



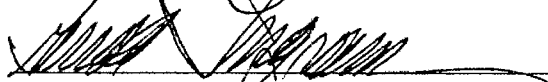
LEAGUE OF OREGON CITIES



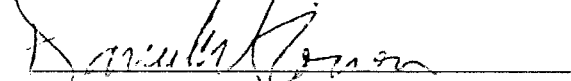
OREGON SCHOOL BOARDS
ASSOCIATION



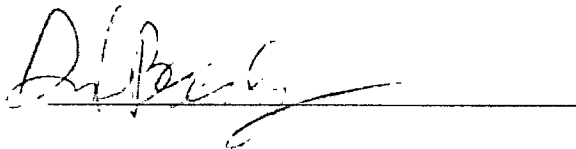
OREGON FIRE DISTRICT DIRECTORS
ASSOCIATION



CLACKAMAS COUNTY



CITY OF PORTLAND



PORTLAND DEVELOPMENT
COMMISSION





MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-6
Est. Start Time: 10:05 AM
Date Submitted: 05/13/09

NOTICE OF INTENT to Apply to U.S. Department of Energy through the
Agenda Clean Cities Program for a Grant Funded through the American Recovery and
Title: Reinvestment Act in the Amount of \$1,069,970.00

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: May 21, 2009 **Amount of Time Needed:** 5 minutes
Department: DCM, NOND **Division:** FREDS, Sustainability, D2
Contact(s): Rich Swift, Michele Gardner, Tim Lynch
Phone: 503.988.5353 **Ext.** 85353 **I/O Address:** 425/2/FREDS
Presenter(s): Commissioner Jeff Cogen, Rich Swift (FREDS) and Tim Lynch (Sustainability)

General Information

1. What action are you requesting from the Board?

Approval to apply through a joint application for grant funding from the U.S. Department of Energy, Clean Cities Program to fund the purchase of 30 Battery Electric Vehicles (EV), the conversion of two Toyota Prius to plug in hybrids and the installation of eight electric charging stations. Multnomah County is partnering with the State of Oregon, the City of Portland, Clackamas County, Washington County and at least 70 other jurisdictions throughout Oregon.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The State of Oregon is a leader in sustainability. State and local agencies continue to take steps to create a sustainable transportation system. Over the past couple of years, Governor Ted Kulongoski met with leaders from all over the world to discuss the need to establish the infrastructure necessary for a greener transportation system. Electric vehicles (EVs) and infrastructure for recharging electric vehicles is a key part of the strategy. The American Recovery and Reinvestment Act (ARRA) will provide the State of Oregon and its partners with a one-time opportunity to receive federal funding to implement this vision.

The Oregon Department of Transportation (ODOT), Oregon Department of Energy (DOE), Oregon Economic & Community Development Department (OECDD), the Columbia Willamette Clean Cities Coalition and Rogue Valley Clean Cities Coalition are looking for State and local government agencies, transportation authorities, and private and non-profit organizations to join them in a proposal for federal funds. They are looking for partners interested in purchasing EVs and building recharging infrastructure.

The objectives of the proposal are to:

- Increase the number of EVs in Oregon;
- Begin the deployment of needed charging infrastructure;
- Conduct public outreach, education and training about EVs;
- Increase familiarity with and advance & promote green technology in the private sector;
- Reduce greenhouse gas emissions.

Participation in this proposal has significant benefits for the County. In FY08 County staff logged over 55,000 hours in county vehicles retained at county motor pool locations. Many of these trips were less than 20 miles round trip. Introducing EVs into the fleet allows the County to meet a portion of its transportation needs with no reliance on fossil fuels. By reducing its use of fossil fuels, the County will reduce air pollutants from vehicle emissions and reduce operation costs associated with engine maintenance and fuel.

3. Explain the fiscal impact (current year and ongoing).

The total grant application is for \$1,069,970.00. This is a four year grant with deployment of vehicles and infrastructure taking place in the first two years and data collection and evaluation continuing through the entire four years. The grant amount consists of \$513,600 in Federal funds and \$539,400 in County match. The majority of these funds will be spent in FY2010 and FY2011.

4. Explain any legal and/or policy issues involved.

The project supports Multnomah County's initiatives on toxic emissions, health equity, environmental health, and operating cost reductions.

5. Explain any citizen and/or other government participation that has or will take place.

Multnomah County is a co-applicant to the grant, in partnership with the State of Oregon, the City of Portland, Clackamas County, Washington County and others throughout the state. The State is leading the grant preparation and submission. Funds will be awarded to the State and then allocated to partners based on their submission to the State.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**

United States Department of Energy – Clean Cities Program

- **Specify grant (matching, reporting and other) requirements and goals.**

In the first year the County will purchase and install eight electric vehicles charging stations. The cost is estimated at \$87,200. The grant will pay half, \$43,600, and the County will match. The County will also convert, “up fit,” two of its Toyota Prius to plug in hybrids. The grant funds can cover the cost of the up fit kit and installation at a cost of \$10,000 per vehicle. The County can use the current value of each vehicle, estimated at \$19,585, as its match for the up fits. The match comes to \$39,170. The up fit will not require additional funding on the part of the County.

The County will also purchase 30 EVs. 15 vehicles in FY10 and 15 in FY11. Grant funds can cover the incremental cost of these vehicles. Incremental cost is the difference between the EV cost and a like conventional vehicle. The County will use replacement funds from the Vehicle Replacement Fund to provide matching funds for vehicle acquisition. The grant will fund \$245,000 in FY10 and \$225,000 FY11. The County will provide matching funds of \$264,170 in FY10 and \$225,000 in FY11. As is the case with the up fits it is anticipated that EV acquisition will not require additional funding on the part of the County.

The FREDS Division will provide in-kind match of \$23,600 for the administration of vehicle purchase, data collection and program evaluation.

- **Explain grant funding detail – is this a one time only or long term commitment?**

This is a four year commitment with fund expenditures occurring in the first two years of the grant. Years three and four consist of data collection and evaluation.

- **What are the estimated filing timelines?**

The State of Oregon is the primary applicant, and Multnomah County a co-applicant. Application deadline is May 29, 2009.

- **If a grant, what period does the grant cover?**

The grant covers a four year period with expenditures occurring in FY10 and FY11. Data tracking and reporting will continue through FY12 and FY13.

- **When the grant expires, what are funding plans?**

The charging stations will be paid for and funding for replacement EVs will happen through the County's Vehicle Replacement Fund. As was the case with hybrids, Fleet anticipates that EV purchase prices will decline over time. The grant does not require the County to replace with EVs if the cost to do so is prohibitive.

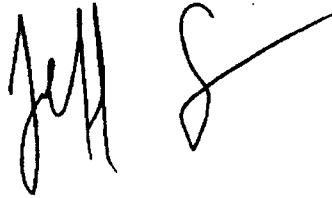
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

This project will not result in costs in these areas as these costs are already part of the Fleet budget in any fiscal year.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:



Date: 05/13/09

Budget Analyst:



Date: 05/13/09



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COUNTY MANAGEMENT
FLEET, RECORDS, ELECTRONICS, DISTRIBUTION & STORES DIVISION (F.R.E.D.S.)
1620 SE 190TH AVE
PORTLAND, OREGON 97233-5999
(503) 988-5050

BOARD OF COUNTY COMMISSIONERS

TED WHEELER	- CHAIR OF THE BOARD
DEBORAH KAFOURY	- DISTRICT 1 COMMISSIONER
JEFF COGEN	- DISTRICT 2 COMMISSIONER
JUDY SHIPRACK	- DISTRICT 3 COMMISSIONER
DIANE McKEEL	- DISTRICT 4 COMMISSIONER

May 21, 2009

Raymond Jarr
Grant Officer U.S. Department of Energy
National Energy Technology Laboratory

Mr. Jarr:

This letter serves as confirmation that Multnomah County supports the widespread use of advanced technology vehicles to reduce greenhouse gas emissions and dependence on foreign oil. To advance this goal, Multnomah County plans to participate in the project described in the proposal submitted by the Oregon Department of Transportation entitled "*Oregon EV and EV Charging Network*" in response to Funding Opportunity Announcement DE-PS26-09NT01236-04.

Assuming the project is funded by US Department of Energy at the level requested in the proposal by Oregon Department of Transportation, Multnomah County estimates our participation in this project as follows:

- ✓ Install 16 electric vehicle charging stations for an estimated cost share of \$43,600. The station(s) will be active a minimum of three years.
- ✓ Purchase 2 plug-in hybrid electric vehicle conversions for an estimated cost share of \$39,170.
- ✓ Purchase 30 battery electric vehicles for an estimated cost share of \$450,000.
- ✓ Provide *in-kind* cost share of \$23,600 related to outreach, training, planning, reporting and administration of the project.
- ✓ Provide the Oregon Department of Transportation and the Oregon Department of Energy relevant data, invoices and documentation for grant reporting and research purposes.
- ✓ Procure with grant funds only equipment and/or installations that meet all applicable safety and/or emissions regulations and appropriate individuals will be trained about the benefits of advanced technology vehicles and provided with strategies to realize these benefits.
- ✓ Display appropriate signage on vehicles and infrastructure stating fuel type and support of Clean Cities.

None of the funds that will be used as cost share in this project come from federal sources. We appreciate your consideration of this exciting and worthy project that will help our organization reduce its petroleum use and emissions.

Sincerely,

Richard F. Swift, MPA
Director
Fleet, Records, Electronics, Distribution, Stores Division
Multnomah County Department of County Management



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-7
Est. Start Time: 10:10 AM
Date Submitted: 05/07/09

Agenda Title: First Reading of a Proposed Special Ordinance Designating Disposition of Tax Foreclosed Property and Declaring an Emergency

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 5 minutes
Department: Community Services Division: Tax Title
Contact(s): Gary Thomas
Phone: 503-988-3590 Ext. 22591 I/O Address: 503/1/Tax Title
Presenter(s): Gary Thomas

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to approve the repurchase of tax foreclosed property consisting of two condo garage parking units, by the former owner of record Helvetia Group LLC.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

On September 25, 2006 judgment was entered in Multnomah County Circuit Court foreclosing the property tax liens against certain real property described as: UNIT "K" ST. ANDREWS CONDOMINIUM AND UNIT "L" ST. ANDREWS CONDOMINIUM (the Property). On September 26, 2008 the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.

On October 7th, 2008, the County's Tax Title Division sent a letter to the former owner of record for the Properties, Helvetia Group LLC; advising of his rights to repurchase the tax foreclosed property under Multnomah County Code (MCC) Chapter 7. The letter stated that the Properties must be repurchased or vacated by November 14th, 2008.

The properties apparently were not included in the initial conveyance from Helvetia Group LLC to

the original buyers of certain condominium residential unit ostensibly assigned to the Properties. Another complication that has occurred is Helvetia Group LLC has been dissolved. However, the County has been advised by the Title Insurance Company handling the matter that a conveyance by the County to Helvetia Group LLC will still be effective to get the Properties ultimately conveyed to the current owners of the affected residential condominium unit.

Under ORS 275.180, the minimum price for which the County can sell the property back to the former owner is not less than the amount of taxes and interest accrued and charged against the property.

Although the timeline for repurchase, as provided under MCC 7.402 has passed; in the interest of fairness and to prevent potential challenges to the disposition of the Properties, we believe it to be in the best interest of the County to approve this Special Ordinance and remove the Properties from consideration for alternative disposition under MCC Chapter 7 and authorize the repurchase of the Properties by Helvetia Group LLC.

ORS 307.100 requires the payment of all local assessments and liens prior to repurchasing tax foreclosed real property from the County.

This action affects our Vibrant Communities Program Offer by placing tax foreclosed property back onto the tax roll.

3. Explain the fiscal impact (current year and ongoing).

The repurchase will allow for the recovery of the delinquent taxes, fees, and expenses. The sale will also reinstate the property on the tax roll.

4. Explain any legal and/or policy issues involved.

Multnomah County Code Section 7.402 provides for 30 days notice to the former owner of record to repurchase a property foreclosed on for delinquent property taxes. However if the timeline expires without the former owner repurchasing the property and it has not been otherwise disposed of, there is nothing in the Code that precludes the County from selling the property to the former owner.

5. Explain any citizen and/or other government participation that has or will take place.

No citizen or government participation is anticipated.

Required Signature

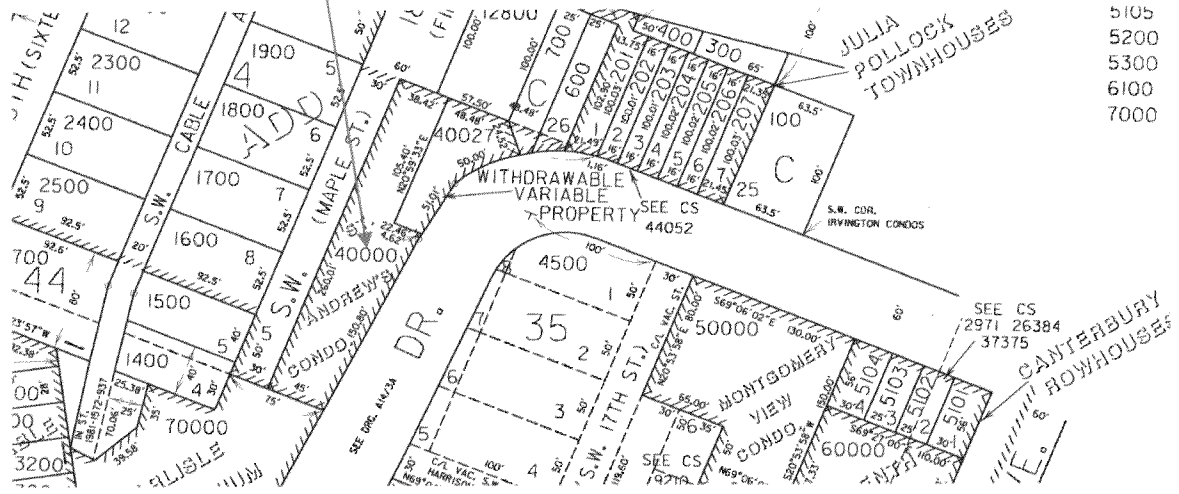
**Elected Official or
Department/
Agency Director:**



Date: 05/09/09

EXHIBIT A

R518014 & R518015



R518014 & R518015



EXHIBIT B
PROPOSED PROPERTY LISTED FOR REPURCHASE
FISCAL YEAR 2009

LEGAL DESCRIPTION: R518014 and R518015

UNIT "K" ST. Andrews Condominium
UNIT "L" ST. Andrews Condominium

PROPERTY ADDRESS:	1828 SW 18 th Ave, Parking Unit K & L
TAX ACCOUNT NUMBER:	R518014 and R518015
GREENSPACE DESIGNATION:	No designation
SIZE OF PARCEL:	NA
ASSESSED VALUE:	\$15,240 and \$15,240

TOTAL PRICE OF ITEMIZED EXPENSES FOR REPURCHASE OF BOTH PROPERTIES

BACK TAXES & INTEREST:	\$3,275.20
TAX TITLE MAINTENANCE COST & EXPENSES:	\$1,000.00
PENALTY & FEE:	\$284.74
CITY LIENS	\$0
MINIMUM PRICE REQUEST FOR REPURCHASE	\$4,559.94

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Special Ordinance Designating Disposition of Tax Foreclosed Property and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. On September 25, 2006, judgment was entered in Multnomah County Circuit Court foreclosing the property tax liens against certain real property described as:

UNIT "K"	St. Andrews Condominium
UNIT "L"	St. Andrews Condominium

(the "Properties"). The Properties actually appear to be garage spaces in a condominium complex. On September 26, 2008, the County Tax Collector deeded all right, title and interest in the property to Multnomah County as authorized under ORS 312.200.

- a. On October 7, 2008, County's Tax Title Division sent a letter to the former owner of record for the Properties, Helvetia Group LLC; advising of its right to repurchase the tax foreclosed property under Multnomah County Code (MCC) Chapter 7. The letter stated that the Properties must be repurchased or vacated by November 14, 2008.
- b. The Properties apparently were not included in the initial conveyance from Helvetia Group LLC to the original buyers of that certain condominium residential unit ostensibly assigned to the Properties. Another complication that has occurred is Helvetia Group LLC has been dissolved. However, the County has been advised by the Title Insurance Company handling the matter that a conveyance by the County to Helvetia Group LLC will still be effective to get the Properties ultimately conveyed to the current owners of the affected residential condominium unit.
- c. Under ORS 275.180, the minimum price for which the County can sell tax foreclosed property back to the former owner is not less than the amount of taxes and interest accrued and charged against the property.
- d. ORS 307.100 requires the payment of all local assessments and liens prior to repurchasing tax foreclosed real property from the County.
- e. Although the timeline for repurchase, as provided under MCC 7.402 has passed, in the interest of fairness and to prevent potential challenges to the disposition of the Properties, the Board believes it to be in the best interests of the County to approve this Special Ordinance and remove the Properties from consideration for alternative disposition under MCC Chapter 7 and authorize the repurchase of the Properties by Helvetia Group LLC.

Multnomah County Ordains as follows:

Section 1. Notwithstanding MCC 7.402; Multnomah County is authorized to sell to Helvetia Group LLC the real property described above in compliance with the requirements of ORS 275.180.

Section 2. The County Chair is authorized to execute a Deed in substantial compliance with the attached deed identified as Exhibit A.; conveying the real property described above to Helvetia Group LLC.

Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING:

May 21, 2009

SECOND READING AND ADOPTION:

May 28, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Agnes Sowle, County Attorney

Until a change is requested, all tax statements
Shall be sent to the following address:
HELVETIA GROUP LLC
13435 NW OVERTON ST
PORTLAND OR 97220

Exhibit A

After recording return to:
Multnomah County Tax Title 503/4

Deed D092185 for R518014 and R518015

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Helvetia Group LLC, **Grantee**, the following described real property located in Multnomah County, Oregon:

UNIT "K"	St. Andrews Condominium
UNIT "L"	St. Andrews Condominium

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration paid for this transfer is \$4,559.94.

IN WITNESS WHEREOF, The Multnomah County Board of Commissioners by authority of a Resolution of the Board entered of record: has caused this deed to be executed by the chair of the County Board.

Dated this 28th day of May 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 28th day of May 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 06/27/2013



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-8
Est. Start Time: 10:15 AM
Date Submitted: 05/06/09

Agenda Title: Intergovernmental Agreement with the City of Troutdale for Land Use Planning Responsibilities within the Portion of the City Inside the National Scenic Area

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 10 minutes
Department: DCS Division: Land Use & Transportation
Contact(s): Derrick Tokos
Phone: 503-988-3043 Ext. 22682 I/O Address: 455/1/116
Presenter(s): Derrick Tokos and Rich Faith with the City of Troutdale

General Information

1. What action are you requesting from the Board?

Approval of an Intergovernmental Agreement with the City of Troutdale that sets out the respective responsibilities for land use planning inside the portion of the City that is within the Columbia River Gorge National Scenic Area. Concurrent with this action, the City is repealing most of its land use regulations within the affected area.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 1986 Congress passed the Columbia River Gorge National Scenic Area Act, affecting properties in six counties in the states of Oregon and Washington, including approximately 33,280 acres within Multnomah County. The Act restricts development of rural property to protect the scenic, cultural, natural and recreational resources of the gorge. The County administers development regulations required under the Act, Gorge Commission Management Plan, and County Rural Area Plan for the Scenic Area. Specific land use regulations are contained in Chapter 38 of the County code.

A portion of the City of Troutdale, east of the Sandy River, is within the Scenic Area (map attached). It encompasses approximately 82 acres of land. While inside the metropolitan Urban Growth Boundary, this portion of the City was not designated under the Act as urban meaning it is considered rural and is subject to Scenic Area development restrictions.

Between 1986 and 1993 development of rural property was subject to the review and approval of the Gorge Commission who applied interim guidelines until the Management Plan was completed. In January of 1993 the County adopted its first implementing ordinance (Ord. #748). The ordinance was acknowledged by the Secretary of Agriculture on June 22, 1993 at which point the County assumed the Scenic Area regulatory responsibilities within its boundaries. This included the portion of Troutdale that is inside the Scenic Area.

City of Troutdale land use regulations apply to properties within their jurisdiction. This includes the portion of the City that is inside the Scenic Area. Staff understands that after passage of the Act an effort was made to address how City and County regulations should be implemented; however, nothing was adopted. The City has continued to revise and update its development codes to meet local, regional, and statewide urban planning objectives. Development projects in the Scenic Area portion of Troutdale are subject to a dual review process, through both the County and the City. This adds to the expense and time it takes to complete the review process, and has proven to be frustrating to landowners who must deal at times with overlapping or conflicting regulations. Specific differences between the City and County regulations can be summarized as follows:

- Base zoning designations under the County Scenic Area ordinance differ from those that the City has adopted. The County has residential, commercial and open space zoning. The City applies mostly residential zoning with commercial zoning on two parcels (Tad's and the property next to the Sam Cox building).
- Regulations implemented by the County apply to a broader range of development. Just about every form of development is subject to review, including utilities, transportation or resource enhancement uses. The County also evaluates small scale development that the City does not review unless it falls within a restricted development area such as the floodplain or vegetation corridor. For example, the County reviews accessory structures as small as 60 square feet, decks, and residential fencing, which the City doesn't.
- Standard dimensional requirements (e.g. setbacks and minimum lot sizes) differ between the City and County.
- The natural resource protection programs are substantially different, and Scenic Area rules look at a broader range of resource issues such as wildlife and rare plants protection. In the past, wildlife protection has been an issue on a number of Troutdale properties that substantially impacted how they were developed.
- National Scenic Area regulations require the protection of scenic and cultural resources which is very different from the City's program. The concept of development being "visually subordinate" is unique to the Scenic Area regulations.
- City and County property line adjustment and land division reviews appear to be largely duplicative; however, there are additional County standards that are designed to ensure adjustments or divisions do not conflict with prior site review development approvals and to ensure that properties are not being configured to force development on land that is highly visible from Key Viewing Areas, such as the Sandy River and the Historic Highway.
- Other agencies have defined roles in the County review process, such as ODF&W for wildlife impacts and the US Forest Service/State Historic Preservation for cultural resources. Troutdale seeks comments from these agencies, when necessary, but not every development needs to

involve them.

At a September 9, 2008 work session, the Troutdale City Council agreed that the present system of dual land use reviews and overlapping regulations is unfair to property owners and directed their staff to repeal portions of the Troutdale Development Code that conflict with Scenic Area regulations. The City Council also expressed interest in working with Oregon's congressional delegation to remove the City from the National Scenic Area. This will require an amendment to the Act, which the Council understands could take a long time and should be pursued separately.

City staff, in consultation with the County, has prepared draft language to repeal the conflicting provisions of their development code. The City will retain the flood management, erosion control, and stormwater management responsibilities because those activities are not regulated by the County's Scenic Area rules. Because the City is retaining some land use regulations, an Intergovernmental Agreement (IGA) has been prepared to ensure that the process both jurisdictions follow in reviewing development applications is closely coordinated.

On December 4, 2008, City and County staff held an informational open house to discuss the proposed changes with area residents. The Troutdale Citizen Advisory Committee recommended the City adopt the code repeal at their February 4, 2009 meeting. The City Planning Commission followed suit on February 18, 2009. The City Council approved a first reading of the repeal at their April 28, 2009 meeting (staff report attached) and will consider the IGA in conjunction with the repeal at a second reading scheduled for March 12, 2009. The County Planning Commission was briefed on the project on January 5, 2009 and considered the draft Intergovernmental Agreement at its March 2, 2009 meeting. The Commission was in agreement with the changes and IGA.

3. Explain the fiscal impact (current year and ongoing).

None. The County already provides land use planning services for this area.

4. Explain any legal and/or policy issues involved.

The dual review process is a burden to the land owners in the area, which is exacerbated by conflicting and overlapping regulations implemented by the City and County. The County acknowledged the issue in its Rural Area Plan for the National Scenic Area adopted in 2005. The City's code repeal and the accompanying IGA will finally address the problem.

5. Explain any citizen and/or other government participation that has or will take place.

The City provided notice of the December 4, 2008 open house to all affected property owners. Seven people attended. The City also noticed meetings by its Citizen Advisory Committee, Planning Commission, and City Council. The County provided public notice of its Planning Commission meetings. No one from the public testified at the City hearings or County meetings. County staff has shared copies of the code repeal and IGA with the Gorge Commission.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 05/06/09

**AGENDA ITEM - STAFF REPORT
TROUTDALE CITY COUNCIL MEETING**

SUBJECT: An ordinance amending Chapter 1 of the Troutdale Development Code adding an applicability section pertaining to the Columbia River Gorge National Scenic Area (Text Amendment No. 41)

AGENDA DATE: April 28, 2009

DEPARTMENT: Community Development

STAFF CONTACT: Rich Faith, Community Development Director

Exhibits:

- A. Planning Commission Findings and Recommendation
- B. Draft minutes of Planning Commission's February 18, 2009 public hearing

BACKGROUND:

Troutdale's city limits extend east of the Sandy River and encompass approximately 82 acres of land, inclusive of road rights-of-way and other non-taxable properties. This area lies within the boundaries of the Columbia River Gorge National Scenic Area (NSA) and is subject to the development regulations that implement the Management Plan for the Scenic Area. The Scenic Area Act, adopted by Congress in 1986, granted authority to the six Gorge counties to implement the Management Plan through their land use ordinances which must first be approved by the Gorge Commission for consistency with the Management Plan. The Act also designated 13 cities and towns located within the Scenic Area as Urban Areas, along with urban area boundaries that surround them. These urban areas are exempt from the Management Plan. Even though a portion of Troutdale lies within the Scenic Area boundary, the Act did not designate this area as Urban, making it subject to the requirements of the Management Plan and the County's land use jurisdiction.

Multnomah County's land use ordinance includes regulations specific to those areas of the County within the Scenic Area, including properties within the City. Before any development can occur, Troutdale property owners east of the Sandy River must obtain land use approval from both Multnomah County and the City of Troutdale. This double approval process not only adds time and expense for these landowners, but it can also prove to be extremely frustrating when the two sets of land use regulations are at odds and they are caught in the middle of overlapping regulations. The standard way of addressing this is to require the applicant for a land use approval to comply with the more stringent regulation that applies.

At a work session held on September 9, 2008 the City Council discussed the problems

Troutdale property owners within the NSA encounter because of dual land use reviews. After reviewing different options for addressing the problem the Council decided that the best remedy for the situation is to waive applicability of the Troutdale Development Code (TDC) within the NSA thereby allowing the County to exercise sole jurisdiction there. This amendment accomplishes that purpose.

General Difference in City and County Regulations

There are numerous differences between the County's scenic area regulations and the City's development code regulations. The following are some general observations concerning those differences.

- Base zoning designations under the County's scenic area ordinance differ from the City's. The County has two residential zones, one commercial zone and a Gorge General Open Space zone. The City applies mostly R-20 zoning with commercial zoning on a couple of parcels (Tads and property next to the late Sam Cox's residence).
- Regulations implemented by the County apply to a broader range of development. Just about every form of development is subject to review, including utilities, transportation or resource enhancement uses. The County also evaluates small scale development that the City does not review unless it falls within a restricted development area such as the floodplain or vegetation corridor. For example, the County reviews accessory structures as small as 60 square feet, all decks and residential fencing, which the City doesn't.
- Standard dimensional requirements (setbacks and minimum lot sizes) differ between the City and County. The natural resource protection programs are substantially different; scenic area rules look at a broader range of resource issues such as wildlife and rare plants protection. In the past, wildlife protection has been an issue on a number of Troutdale properties that substantially impacted how they were developed.
- National scenic area regulations require the protection of scenic and cultural resources which is very different from the City's program. The concept of development being "visually subordinate" is unique to the scenic area regulations. City and County property line adjustment and land division reviews appear to be largely duplicative; however, there are additional standards in the county designed to ensure adjustments or divisions do not conflict with prior site review development approvals and to ensure that properties are not being configured to force development on land that is highly visible from Key Viewing Areas, such as the Sandy River and the Historic Highway.
- Other agencies have defined roles in the County's review process, such as Oregon Department of Fish and Wildlife for wildlife impacts and the US Forest Service/State Historic Preservation for cultural resources. Troutdale seeks

comments from these agencies when necessary, but not every development needs to involve them.

EXPLANATION of AMENDMENT:

Although the original goal of this amendment was to waive all aspects of the TDC from the NSA portion of the City, after further study of this idea, staff determined that it is not possible to exempt properties in the NSA completely from the Troutdale Development Code. For example, many of these properties are adjacent to the Sandy River and are within the floodplain of the river. As a participant in the National Flood Insurance Program administered by FEMA, the City has approved flood management standards that makes Troutdale residents eligible to obtain flood insurance. Even though Multnomah County also has flood management standards, they are not part of the NSA code and they do not apply to lands within the City of Troutdale. Exempting NSA properties from Troutdale's flood management chapter would jeopardize the ability of affected property owners to obtain flood insurance. Similar problems arise with erosion control and storm water standards that apply under the City's development code but are not covered under the County's NSA ordinance.

For this reason, the proposed applicability section exempts NSA lands from the Troutdale Development Code except for three chapters of the Code: Chapter 4.600 Flood Management Area; Chapter 5.600 Erosion Control and Water Quality Standards; and Chapter 5.800 Stormwater Management.

In terms of processing development applications within the NSA, the intent is to have applications submitted to Multnomah County first. The County will distribute a copy to the City for our review of the development proposal against the three applicable chapters of the TDC. The City will provide comments to the County and the County will share those comments with the applicant so that the applicant knows what revisions will be necessary in order to satisfy City standards for these chapters of the TDC. After the County finalizes its NSA decision, the applicant can then submit the proposal to the City for evaluation against the three chapters. This procedure will be formalized within a separate intergovernmental agreement (IGA) between the City and the County.

ANALYSIS OF APPROVAL CRITERIA:

1. *For Comprehensive Plan text amendments, compliance with the Statewide Land Use goals and related Administrative Rules.*

The proposed amendments pertain only to the Troutdale Development Code and not to the Comprehensive Plan; therefore, this criterion does not apply.

2. *Public need is best satisfied by this particular change.*

The public need addressed by this change is to provide legislative relief to Troutdale property owners/residents whose property also lies within the Columbia River Gorge

National Scenic Area, thus placing them under two land use jurisdictions and two sets of land use regulations. Dual land use regulations and review processes add time, cost, and frustrations for these affected land owners because they can be caught between conflicting regulations. These land owners need relief from the complications inherent in dual land use review. After reviewing different options for providing this needed relief, it was determined that exempting properties within the NSA from the Troutdale Development Code is the best remedy or change to make.

3. *The change will not adversely affect the health, safety and welfare of the community.*

Changing the TDC so that it no longer applies to lands east of the Sandy River that lie within the NSA will not adversely affect the health, safety and welfare of the community because the County's NSA land use regulations will still be applied to these lands. In addition, there will still be some chapters of the TDC relating to resource protection and hazard areas that will remain in effect. These chapters address water quality and protection of life and property through the flood management standards.

4. *In the case of Development Code amendments, the particular change does not conflict with applicable comprehensive plan goals or policies.*

The amendment being proposed does not conflict with the goals or policies of the Troutdale Comprehensive Plan. This action is being taken to give fair treatment to property owners/residents of Troutdale who are caught in double jeopardy of land use review because the Scenic Area Act included them within the scenic area boundary rather than excluding them as was done for every other incorporated area within the Columbia River Gorge.

OPTIONS:

A. Adopt the ordinance amendments as proposed, or with changes.

Pros

1. It will provide significant relief to Troutdale citizens within the boundaries of the NSA from double land use review.

Cons

1. The full extent of Troutdale's development standards can no longer be applied to these affected properties.

B. Reject the ordinance amendments.

Pros

1. All aspects of the Troutdale Development Code will still apply to affected properties.

Cons

1. Troutdale citizens within the NSA remain caught in the middle of overlapping city and county land use jurisdiction and remain subject to full land use review by both jurisdictions.

FISCAL IMPACTS:

- A. First Year: Only seven land use applications from within the NSA have been filed with the City in the past five years for a total fee of \$3,075. The probability is that the City would only forgo one land use application with an estimated fee of \$440 in the first year.
- B. Future Years: The City's expected revenue loss would be approximately \$400-500 for each land use application that no longer has to be filed with us.
- C. Impact to Property Owners: Because of more limited land use review by the City, affected property owners will have less land use application fees to pay.

RECOMMENDATION:

The Citizens Advisory Committee reviewed this proposed amendment at their February 4, 2009 meeting. The CAC supported the amendment and referred it to the Planning Commission for approval. The Planning Commission held a public hearing on the proposal on February 18, 2009. The only person to testify at the hearing was a representative from Multnomah County Planning Department who supported the amendment. The Planning Commission is recommending adoption of the proposed amendment (Exhibit A).

**PLANNING COMMISSION
FINAL ORDER**

FINDINGS AND RECOMMENDATION

February 18, 2009

Text Amendment #41 to the Troutdale Development Code

The Troutdale Planning Commission held a public hearing on February 18, 2009 to take public testimony and to formulate a recommendation to the City Council concerning adoption of a proposed amendment to the Troutdale Development Code (TDC). Having provided the opportunity for the public to express their views on the proposal, the Planning Commission now makes and enters the following findings of fact together with its recommendation to the Council for action.

1. Owners of property within the City of Troutdale but also within the boundaries of the Columbia Gorge National Scenic Area (properties east of the Sandy River) are subject to land use review by Multnomah County for compliance with Scenic Area regulations and by the City for compliance with the Troutdale Development Code regulations. Dual land use review of proposed development of these properties results in additional time, cost and frustration for the land owner.
2. After evaluating various options for relieving these property owners of overlapping land use jurisdiction, the City Council decided that the best remedy for the situation is to waive applicability of the TDC within the National Scenic Area (NSA) thereby allowing the County to exercise sole jurisdiction there. However, because the County's flood management standards and water quality protection standards are independent of the NSA regulations and do not apply to lands within the City of Troutdale, it is necessary that these provisions of the TDC still be applied.
3. The amendment consists of adding an applicability section to Chapter 1 of the Troutdale Development Code to state that, except for Chapters 4.600, 5.600 and 5.800, the code does not apply to that part of the City of Troutdale lying within the boundaries of the NSA.
4. Public need is satisfied by this amendment because it is the best remedy for providing relief to those property owners facing dual land use review caused by overlapping land use jurisdiction.
5. The amendment will not adversely affect the health, safety and welfare of the community because the County's NSA land use regulations will still be applied to these lands. In addition, there will still be some chapters of the TDC relating to resource protection and hazard areas that will remain in effect.

Exhibit A

6. The amendment does not conflict with any goals or policies from the Troutdale Comprehensive Plan.

7. Notice of the public hearing has been provided in accordance with applicable law.

In view of the above findings of fact, the Planning Commission recommends that the Troutdale City Council adopt the proposed text amendment (Text Amendment #41) to the Troutdale Development Code.


Shirley Prickett, Chair
Troutdale Planning Commission

VII. CASE FILE NO. 08-084

TYPE IV HEARING

Troutdale Development Code Text Amendment #41

Adds an applicability section to the Troutdale Development Code (TDC) that removes its application to areas of the City within the Columbia River Gorge National Scenic Area (NSA) to eliminate the dual land use review of the TDC and NSA regulations these lands are subject to.

Chair Prickett opened the public hearing on Case File No. 08-084.

Staff's Presentation – Rich Faith explained that land (approximately 82 acres) on the east side of the Sandy River is within the boundaries of the City of Troutdale as well as the Columbia River Gorge National and Scenic Area, and subject to the Management Plan for the Scenic Area development regulations under Multnomah County's jurisdiction. He presented his staff report and requested approval of this Text Amendment so Troutdale residents of this area will not be subject to the double approval process for land use approval or the frustration of being caught in the middle of overlapping regulations.

The Troutdale Citizens Advisory Committee fully supported this amendment and forwarded it, recommending approval, to this Commission for their consideration. To eliminate this dual land use review, the one-paragraph proposed amendment adds an applicability section that states that the Troutdale Development Code does not apply to areas of the City within the Columbia River Gorge National Scenic Area except for three specific chapters: 4.600 (Flood Management Area), 5.600 (Erosion Control and Water Quality Standards) and 4.800 (Stormwater Management).

Commissioner Glantz asked why Troutdale does not adopt its own Scenic Code. Mr. Faith said the City Council considered that option and they chose not to; Troutdale does not want to administer National Scenic Area regulations. Responding to questions from Commissioner Grande, Mr. Faith explained that flood management standards of Multnomah County are separate from the Scenic Area and only apply to the unincorporated areas of the County; they do not apply within the City of Troutdale. We are fearful that if we exempt this area from the flood insurance program, it could jeopardize the City's standing and participation in the National Flood Insurance Program which could ultimately affect all properties within the City of Troutdale. Troutdale's Code would still apply in this area, as well as those of the County and National Scenic Area. Replying to Commissioner Woidyla's question about Cascade Locks, The Dalles and Hood River, Mr. Faith said they have all been designated as urban areas and are not subject to Scenic Area regulations.

Public Comment – Derrick Tokos, Principal Land Use Planner, Multnomah County, 1600 SE 190th, Portland, OR 97233, said the County supports this amendment and appreciates Troutdale staff work on it; he offered to answer any questions the Commission may have. Part of the problem in this "dual review" Mr. Tokos said in

EXHIBIT B
DRAFT

response to a question from Commissioner Haskins, is that the County's and City's Codes are duplicative in some respects and very different in others, e.g., basic setbacks, building heights and basic zoning designations. In some respects, but not all, the County's standards are more restrictive; however, the County's Scenic Area regulations are pretty much exactly in line with the Gorge Commission's Management Plan which is very specific and jurisdictions have to implement it. The remaining balance of the National Scenic Area within Multnomah County is unincorporated and the County does the only land use review there. This amendment addresses the only area under dual jurisdiction and thus dual review.

Commissioner Grande asked if there has been a problem with the dual reviews. Mr. Tokos said not a problem, per se, because issues have been addressed on a case-by-case basis but it is an unnecessary layer of regulation that has complicated the review process, confused constituents and made it more difficult for them to get from start to finish in a land use review process. Commissioner Staffenson recalled prior Troutdale Mayor Sam Cox saying in the 1980s that Troutdale would not be part of the Gorge Scenic Area and would be exempt. He asked why Troutdale was 'pulled in' when the other cities Commissioner Woidyla mentioned are exempt. Mr. Tokos said he was not familiar with that history.

Discussion – Commissioner Woidyla said this streamlined process saves the applicant money and it is time to do this consolidation, while Commissioner Glantz said it seems Troutdale is abandoning its residents. Commissioner Staffenson said the City of Troutdale has often been a calming force, taking a reasonable approach. Commissioner Grande said residents are not being abandoned, but wondered if we are forfeiting these rules for our benefit or for the applicant's. Mr. Faith said even when the property owner is frustrated with the County or Scenic Area regulations, Troutdale cannot overrule or change them. Commissioner Grande agreed that we should not charge our residents for this.

Commissioner Haskins, with a second by Commissioner Grande, moved to close the public hearing on Case File 08-084; the motion passed unanimously.

Commissioner Haskins made a motion to accept the Findings of Fact, Final Order and Conditions of Approval as presented by staff for Case File No. 08-084. Commissioner Grande seconded the motion. The motion passed 6 yes/0 no/1 abstain (Commissioner Glantz).

The Commission took a 15 minute break.

VIII. CASE FILE NO. 08-088

TYPE III HEARING

Beaver Creek Cottages Subdivision and Flood Hazard Permit for Balanced Cut and Fill

Chair Prickett asked if any of the Commissioners had any bias or conflicts of interest to report; there were none. She opened the public hearing.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 1 OF THE TROUTDALE DEVELOPMENT CODE ADDING AN APPLICABILITY SECTION PERTAINING TO THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA (TEXT AMENDMENT NO. 41)

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Owners of property within the City of Troutdale but also within the boundaries of the Columbia Gorge National Scenic Area (properties east of the Sandy River) are subject to land use review by Multnomah County for compliance with Scenic Area regulations and by the City for compliance with the Troutdale Development Code regulations. Dual land use review of proposed development of these properties results in additional time, cost and frustration for the land owner.
2. After evaluating various options for relieving these property owners of overlapping land use jurisdiction, the City Council decided that the best remedy for the situation is to waive applicability of the TDC within the National Scenic Area (NSA) thereby allowing the County to exercise sole jurisdiction there. However, because the County's flood management standards and water quality protection standards are independent of the NSA regulations and do not apply to lands within the City of Troutdale, it is necessary that these provisions of the TDC still be applied.
3. The amendment consists of adding an applicability section to Chapter 1 of the Troutdale Development Code to state that, except for Chapters 4.600, 5.600 and 5.800, the code does not apply to that part of the City of Troutdale lying within the boundaries of the NSA.
4. Public need is satisfied by this amendment because it is the best remedy for providing relief to those property owners facing dual land use review caused by overlapping land use jurisdiction.
5. The amendment will not adversely affect the health, safety and welfare of the community because the County's NSA land use regulations will still be applied to these lands. In addition, there will still be some chapters of the TDC relating to resource protection and hazard areas that will remain in effect.
6. The amendment does not conflict with any goals or policies from the Troutdale Comprehensive Plan.
7. Notice of the public hearing has been provided in accordance with applicable law. Additionally, notice of the public hearing was mailed to all affected property owners.

8. The Planning Commission conducted a public hearing on these amendments on February 18, 2009 and has recommended that the City Council adopt them.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale Development Code is hereby amended to add the following section:

1.016 Applicability. This code applies to all property within the incorporated limits of the City of Troutdale as well as to property outside the incorporated city limits but within the City's urban planning area that is subject to that Intergovernmental Agreement transferring land use planning responsibility from Multnomah County to the City of Troutdale, except for those incorporated properties located east of the ordinary high water line of the west bank of the Sandy River, which are within the boundaries of the Columbia River Gorge National Scenic Area (NSA). Property located within both the incorporated limits of the City and the National Scenic Area shall be subject only to the regulations of Chapters 4.600 (Flood Management Area), 5.600 (Erosion Control and Water Quality Standards) and 5.800 (Stormwater Management) of this code, but are subject to land use review by the Multnomah County Planning Department.

**YEAS:
NAYS:
ABSTAINED:**

Jim Kight, Mayor

Date

Debbie Stickney, City Recorder

Adopted:

Ordinance #



Land Use
Planning
Division

Vicinity Map

LEGEND

- Arterial Streets
- Freeways
- Major Streets
- Streams
- Streams (Fill)
- Tax Lots
- Affected Area
- National Scenic Area
- Unincorporated Outside Scenic Area
- City Limits
 - Troutdale
 - Gresham

Portion of Troutdale
inside the Scenic Area

0 375 750 1125 1500 Feet

1" = 1500 feet



1600 SE 190th Ave.
Portland, OR 97233
503.248.3043 Fax 503.248.3389
Email: land.use.planning@co.multnomah.or.us

This map is based on data from Metro.
Multnomah County cannot accept responsibility
for errors, omissions or positional accuracy.
There are no warranties expressed or implied.

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CITY OF TROUTDALE AND MULTNOMAH COUNTY

FOR LAND USE PLANNING RESPONSIBILITIES FOR THE COLUMBIA RIVER
GORGE NATIONAL SCENIC AREA

This is an Intergovernmental Agreement to set out the respective responsibilities for land use planning in the Columbia River Gorge National Scenic Area (NSA) between MULTNOMAH COUNTY (County), a home rule County and political subdivision of the State of Oregon, and the CITY OF TROUTDALE (City), a home rule City and political subdivision of the State of Oregon.

RECITALS:

- A. In 1986 Congress passed the Columbia River Gorge National Scenic Area Act (Scenic Area Act), affecting properties in six counties in the states of Oregon and Washington, including approximately 33,280 acres within Multnomah County.
- B. The purposes of the Scenic Area Act are implemented by the Management Plan adopted by the Columbia River Gorge Commission (Gorge Commission) on October 15, 1991.
- C. The Secretary of Agriculture concurred with the Management Plan on February 13, 1992.
- D. The Scenic Area Act, Section 544e, mandated that each county within the Scenic Area either adopt regulations to implement the Management Plan for its portion of the Scenic Area or relinquish control of land development within the Scenic Area to the Columbia River Gorge Commission.
- E. On January 7, 1993, Multnomah County Ordinance # 748 was passed, adopting regulations implementing the Management Plan. Those regulations became effective on June 22, 1993, after concurrence by the Secretary of Agriculture.
- F. Currently, the Management Plan is implemented by the County through its Columbia River Gorge National Scenic Area Rural Area Plan Policy Document (CRGNSA RAP Policy Document) and Multnomah County Code (MCC) Chapter 38.
- G. The Gorge Commission and the Secretary of Agriculture (as delegated to the Regional Forester) have found MCC Chapter 38 to be consistent with the Management Plan and, therefore, the County has the land use planning authority for the scenic area lands within its jurisdiction.

- H. A portion of the City of Troutdale, east of the Sandy River, is within the CRGNSA as depicted on the attached vicinity map (See Exhibit 1.)
- I. On _____, the City amended its zoning code to clarify that: (1) other than as specifically noted in Section II.C. (2) herein, its zoning code does not apply to those properties within the City located east of the ordinary high water line of the west bank of the Sandy River, which are within the boundaries of the NSA and, (2) property located within both the incorporated limits of the City and the NSA will be subject to Multnomah County Code Chapter 38. Other City regulations applicable to these areas will be limited to certain identified regulations as specified below.

NOW, THEREFORE, THE CITY AND COUNTY DO MUTUALLY AGREE AS FOLLOWS:

I. INTENT OF AGREEMENT

The parties acknowledge that, under the provisions of the Scenic Area Act and the Management Plan, the properties within the NSA located within the incorporated City are subject to and regulated by the provisions of MCC Chapter 38.

Additionally, the parties acknowledge that County administration of land use regulations inside the City adds a layer of complexity to the process for developing property and an added burden to property owners wishing to develop their property and this agreement is intended to set forth administrative steps both jurisdictions are taking to make the process as seamless as possible.

II. TERMS

- A. Fees and Costs. The County will charge applicants its applicable land use fees in administering MCC Chapter 38 within the NSA in the incorporated City. The City will charge applicants its applicable fees in administering its applicable code in the NSA.
- B. Applicable Codes. The County will apply MCC Chapter 38 to properties within the NSA in the incorporated City. The City will apply Troutdale Development Code Chapter 4.600 (Flood Management Area), Chapter 5.600 (Erosion Control and Water Quality Standards) and Chapter 5.800 (Stormwater Management) to properties within the NSA in the incorporated City. The County's NSA application review process shall occur prior to the City's application review process.
- C. City Responsibilities.
- (1) The City shall cooperate and use its best efforts to provide to County the documents, files and computer data relevant to the land use history and

administration of an applicant's property within the NSA of the incorporated City. The County will request these documents from the City for individual applications on an as-needed basis to administer MCC Chapter 38.

- (2) The City will apply the following environmental protection provisions of the Troutdale Development Code in its land use reviews within the NSA of the incorporated City: Chapter 4.600 (Flood Management Area), Chapter 5.600 (Erosion Control and Water Quality Standards) and Chapter 5.800 (Stormwater Management).
- (3) As part of its NSA review process, the County will provide the City an opportunity to be involved in the early stages of development review and to evaluate and comment upon the NSA development application for compliance with applicable TDC provisions. The City shall attend the County's pre-application meetings if possible. The County shall forward a copy of the NSA development application to the City for review. The City will identify issues with the application that need to be addressed in order to comply with those provisions of the TDC specified in subsection C2. City comments shall be sent to:

Multnomah County Land Use Planning
1600 S.E. 190th Avenue,
Portland, Oregon 97233

- (4) After the County has completed its NSA review process and has rendered a decision on the development application, the City will process, upon submittal of an application, any necessary land use application pertinent to the applicable provisions of the Troutdale Development Code.

D. County Responsibilities.

- (1) The County shall cooperate and use its best efforts to provide to City, for administration of city codes, the documents, files and computer data relevant to the land use history and administration of an applicant's property within the NSA area of the incorporated City. The City will request these documents from the County for individual applications on an as-needed basis to administer applicable Troutdale Development Code provisions.
- (2) The County shall notify the City of pre-application meetings for prospective NSA development applications to provide the City the opportunity to attend. If the City is unable to attend the pre-application meeting for a prospective NSA development project but indicates that City standards may apply, then the County shall provide prospective applicants with copies of the Troutdale Development Code or other information relevant to the code provisions specified in subsection C2. The City will provide the County a master set of the materials the City wants distributed at these meetings.

- (3) As part of its NSA review process, the County shall provide the City an opportunity to evaluate and comment upon the development application for compliance with applicable Troutdale Development Code provisions. The County shall forward a copy of the NSA development application to the City for review. The City will identify issues with the application that need to be addressed in order to comply with those provisions of the Troutdale Development Code specified in subsection C2.

The County shall forward the copy of the development application to:

Community Development Department
City of Troutdale
104 SE Kibling Avenue,
Troutdale, Oregon 97060-2099

- (4) When applicable, the County's land use decision shall state that a development permit must be obtained from the City before development can commence. The County will forward a copy of its NSA land use decision to the City.

E. Term of Agreement. This Agreement shall be effective when fully executed. Either party may terminate this Agreement upon written 90-day notice.

F. Indemnification. Subject to the limitations and conditions of the Oregon Constitution and Oregon Tort Claims Act (ORS 30.260 et seq.), the County and the City each shall be solely responsible for any loss or injury caused to third parties arising from County's or City's own acts or omissions under this agreement; and County or City shall defend, hold harmless, and indemnify the other party to this agreement with respect to any claim, litigation, or liability arising from County's or City's own acts or omissions under this agreement.

MULTNOMAH COUNTY

CITY OF TROUTDALE

By: _____
Ted Wheeler, Chair

By: _____
Jim Kight, Mayor

Date: _____

Date: _____

Reviewed:

Approved as to Form:

AGNES SOWLE, County Attorney
FOR MULTNOMAH COUNTY

City Attorney For City of Troutdale

By: _____
Sandra N. Duffy
Assistant County Attorney

By: _____
David Ross, City Attorney



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-9
Est. Start Time: 10:25 AM
Date Submitted: 05/14/09

Agenda Title: First Reading of a Proposed ORDINANCE Amending the County Comprehensive Framework Plan, Community Plans, Rural Area Plans, Sectional Zoning Maps, and Zoning Code Chapters to Adopt Portland City Code Titles 17.38, 24.50 and 24.70 in Compliance with IGA and Metro's Functional Plan

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: May 21, 2009 Amount of Time Needed: 5 minutes
Department: Non-Departmental Division: County Attorney
Contact(s): Sandra N. Duffy, Assistant County Attorney
Phone: 503-988-3138 Ext. 83138 I/O Address: 503/500
Presenter(s): Sandra N. Duffy

General Information

1. What action are you requesting from the Board?

Approve first reading and Ordinance Amending the County Comprehensive Framework Plan, Community Plans, Rural Area Plans, Sectional Zoning Maps, and Zoning Code Chapters to Adopt Portland's City Code Titles 17.38, 24.50 and 24.70 in Compliance with IGA and Metro's Functional Plan.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Board adopted Resolution A in 1983 which directed the County services towards rural services rather than urban. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.

In 1998, the County and the City of Portland amended the Urban Planning Area Agreement (UPAA) to include an agreement that the City of Portland would provide planning services to achieve

compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary. In 2001, the County and City entered into an Intergovernmental Agreement to Transfer Land Use Planning Responsibilities to implement the UPAA (IGA). Under the IGA, the County agreed to use City standards for certain improvements when required as part of a land use review or building permit approval.

The County adopted Portland City Code Titles 17.38.060, 24.50 and 24.70 effective January 1, 2002, by Ordinance 970. Portland City Code 17.38.060 no longer exists, and it is necessary to adopt the City's updated land use planning regulations (Titles 17.38, 24.50 and 24.70).

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

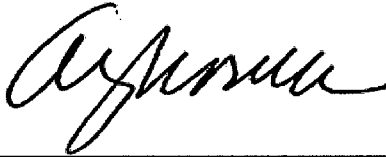
Compliance with IGA and Metro's Functional Plan

5. Explain any citizen and/or other government participation that has or will take place.

N/A

Required Signature

**Elected Official or
Department/
Agency Director:**

A handwritten signature in black ink, appearing to read "A. Jensen", is written over a horizontal line.

Date: 05/13/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending the County Comprehensive Framework Plan, Community Plans, Rural Area Plans, Sectional Zoning Maps, and Zoning Code Chapters to Adopt Portland City Code Titles 17.38, 24.50 and 24.70 in Compliance with IGA and Metro's Functional Plan

The Multnomah County Board of Commissioners Finds:

- a. The Board adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland amended the Urban Planning Area Agreement (UPAA) to include an agreement that the City of Portland would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. In 2001, the County and City entered into an Intergovernmental Agreement to Transfer Land Use Planning Responsibilities to implement the UPAA (IGA).
- e. Under the IGA, the County agreed to use City standards for certain improvements when required as part of a land use review or building permit approval.
- f. The County adopted Portland City Code Titles 17.38.060, 24.50 and 24.70 effective January 1, 2002, by Ordinance 970.
- g. Portland City Code 17.38.060 no longer exists, and it is necessary to adopt the City's updated land use planning regulations relating to site development.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, Community Plans, Rural Area Plan, Sectional Zoning Maps, and Zoning Code Chapters are amended to include Portland City Code Titles 17.38, 24.50 and 24.70 as updated.

FIRST READING:

May 21, 2009

SECOND READING AND ADOPTION:

May 28, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:
Agnes Sowle, County Attorney



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-10 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-10
Est. Start Time: 10:30 AM
Date Submitted: 04/01/09

BUDGET MODIFICATION: DCM-12

BUDGET MODIFICATION DCM-12 Appropriating \$3,700,000 General Fund
Agenda Contingency Transfer for DCM Facilities for Downtown Courthouse Repair
Title: Projects and Tunnel Easement [Rescheduled from April 16, 2009]

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>May 21, 2009</u>	Amount of Time Needed:	<u>10 mins</u>
Department:	<u>County Management</u>	Division:	<u>Facilities and Property Management</u>
Contact(s):	<u>John Lindenthal, Bob Thomas</u>		
Phone:	<u>503-988-4213</u>	Ext.	<u>84213</u>
		I/O Address:	<u>Bldg 274/1</u>
Presenter(s):	<u>Bob Thomas, John Lindenthal</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Management is seeking Board approval to appropriate \$3,700,000 of General Fund contingency for downtown Courthouse repairs and Tunnel Easement costs.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The FY 2009 Adopted Capital Fund Budget (Program Offer 72053 DCM Facilities Courthouse Plan) included \$3.7 million in sale proceeds from downtown bridgehead property sales to be used in the existing Courthouse for urgently needed repairs. This would allow the County to keep the Courthouse doors open until a replacement facility is built and provide funding for purchase of a tunnel easement between the Justice Center and the proposed Courthouse site.

These projects were included in the FY09 budget. However, the revenue to complete the projects was expected to come from the sale of the bridgehead properties. The sale of those bridgehead

properties is now under review and they will not be sold in FY09. It is also clear that funds set aside for operating Wapato in FY09 will not be needed.

This Contingency request is necessary to reimburse the Capital Fund for expenses already incurred by these projects. The expenditures are for Courthouse roof replacement; HVAC repairs; electrical repairs to main power and emergency power systems; interior finishes repair of flooring and peeling paint; emergency notification and duress alarm system and tunnel easement.

3. Explain the fiscal impact (current year and ongoing).

This request decreases FY 2009 General Fund contingency by \$3,700,000. The FY 2009 Capital fund (2507) budget will receive a \$3,700,000 General Fund cash transfer to replace sale proceeds revenue that will not occur this fiscal year.

If contingency funds are provided for the Courthouse repairs, then the FY 2010 Capital Program will regain 50% of it's total project budget and the ability to continue repairs to Tier 2 facilities and Fire, Life, Safety projects in Tier 3 facilities during the next year.

If the contingency funds are not released this will greatly impact Capital Fund 2507 and increase the deferred maintenance through continued postponement of projects.

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**
General Fund contingency will be decreased by \$3,700,000.
- **What budgets are increased/decreased?**
Size of the Facilities Capital fund (2507) budget will not be affected.
- **What do the changes accomplish?**
Authorizes revenue from General fund contingency to cover the Downtown courthouse project costs. Covers revenue shortfall for downtown courthouse projects.
- **Do any personnel actions result from this budget modification? Explain.**
N/A
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
N/A
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
N/A
- **If a grant, what period does the grant cover?**
N/A
- **If a grant, when the grant expires, what are funding plans?**
N/A

Contingency Request

If the request is a Contingency Request, please answer all of the following in detail:

- **Why was the expenditure not included in the annual budget process?**
Budget authority exists for all projects.

This contingency request covers the revenue shortfall. Revenue from the sales of downtown bridgehead properties had been identified to fund these projects.

The identified bridgehead properties have not been sold nor will they be sold and revenue received in the near future.

This action covers the expenditures made for the downtown courthouse projects.
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
The Department is not able to cover the revenue shortfall and project expenditures without contingency funding.

- **Why are no other department/agency fund sources available?**

N/A

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**

N/A

- **Has this request been made before? When? What was the outcome?**

N/A

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCM-12

Required Signatures

Elected Official or
Department/
Agency Director:



Date: 04/06/09

Budget Analyst:



Date: 04/01/09

Budget Modification ID: **DCM 12**

FPM09-08

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with MERLIN.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	72-50	2507	20				50340			3,700,000		Proceeds from Asset Sales
2	72-50	2507	20				60170			(3,700,000)		Professional Services
3	19	1000	20		9500001000		60470		(3,700,000)	(3,700,000)		Reduce Contingency
4	19	1000	20	8			60560		3,700,000	3,700,000		Increase Cash Transfer to 2507
5	72-50	2507	20			CP08.08.48	50320		(1,200,000)	(1,200,000)		Increase CT Revenue
6	72-50	2507	20			CP08.08.49	50320		(1,200,000)	(1,200,000)		Increase CT Revenue
7	72-50	2507	20			CP08.08.50	50320		(800,000)	(800,000)		Increase CT Revenue
8	72-50	2507	20			CP08.08.51	50320		(200,000)	(200,000)		Increase CT Revenue
9	72-50	2507	20			CP08.08.52	50320		(200,000)	(200,000)		Increase CT Revenue
10	72-50	2507	20			CP08.08.54B	50320		(100,000)	(100,000)		Increase CT Revenue
11	72-50	2507	20			CP08.08.48	60530		1,200,000	1,200,000		Courthouse Roof Replacement
12	72-50	2507	20			CP08.08.49	60530		1,200,000	1,200,000		Courthouse HVAC
13	72-50	2507	20			CP08.08.50	60530		800,000	800,000		Courthouse Electrical
14	72-50	2507	20			CP08.08.51	60530		200,000	200,000		Courthouse Interior Finishes
15	72-50	2507	20			CP08.08.52	60530		200,000	200,000		Courthouse Duress Alarm
16	72-50	2507	20			CP08.08.54B	60530		100,000	100,000		Courthouse Project Tunnel Easement
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										0	0	GRAND TOTAL



Department of County Management
MULTNOMAH COUNTY OREGON

Budget Office

501 SE Hawthorne Blvd., Suite 531
Portland, Oregon 97214
(503) 988-3312 phone
(503) 988-5758 fax
(503) 988-5170 TDD

TO: Board of County Commissioners

FROM: Julie Neburka, Principal Budget Analyst

DATE: April 1, 2009

SUBJECT: General Fund Contingency Request for \$3,700,000 for building repairs at the downtown Courthouse. (Budget Modification DCM-12).

The Facilities & Property Management Division requests \$3,700,000 from the General Fund contingency to pay for repairs to the downtown Courthouse. These repairs include replacing the roof and repairing the HVAC, alarm, and electrical systems. The projects were included in the FY 2009 capital program, and were originally intended to be paid for with proceeds from the sale of County property downtown. Those property sales, however, are not expected to occur in this fiscal year, leaving the County's capital fund short of revenue to cover expenses already incurred.

The General Fund contingency is able to cover this request in FY 2009, as planned expenditures for opening and operating the Wapato Jail did not occur, and are not anticipated to occur in the near term. The current balance in the contingency account is \$7,287,000, including the amount originally set aside for Wapato ramp-up and operations, and less contingency requests to date. This request will reduce that amount to approximately \$3,587,000. I should note that \$3,000,000 of that amount is set aside as a "revenue reserve," and an additional \$500,000 is set aside per the Budget Notes for the SCAAP grant. If these appropriations are needed for these purposes, the remainder in contingency would be \$87,000.

General Fund Contingency Policy Compliance

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the general guidelines and policies for using the General Fund Contingency. This request meets two of the Board's contingency criteria, below.

General Fund contingency request criteria are:

- Criteria 1 States contingency requests should be for one-time-only purposes. *The current Courthouse repairs are one-time-only in the near term. The downtown Courthouse is past its useful life, however, and extensive renovation or replacement will be required for ongoing operations.*
- Criteria 2 Addresses emergencies and unanticipated situations. *Several of the projects undertaken at the courthouse addressed emergencies, including the roof replacement.*
- Criteria 3 Addresses items identified in Board Budget Notes. *These repairs were not addressed in Board Budget Notes for FY 2009.*



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # R-11 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-11
Est. Start Time: 10:40 AM
Date Submitted: 05/05/09

BUDGET MODIFICATION: DCJ - 17

BUDGET MODIFICATION DCJ-17 Appropriating \$7,296 from the Juvenile
Agenda Justice Advisory Committee Title II Formula Grant to Provide Culturally
Title: Specific Mentoring Services

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>May 21, 2009</u>	Amount of Time Needed:	<u>3 minutes</u>
Department:	<u>Dept of Community Justice</u>	Division:	<u>Juvenile Services</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
	I/O Address:		<u>503/250</u>
Presenter(s):	<u>Jan Bishop</u>		

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of budget modification DCJ-17, which appropriates \$7,296 from the Juvenile Justice Advisory Committee (JJAC) Title II Formula Grant. This is a Federal Grant from the U.S. Department of Justice (USDOJ) which is administered and distributed by the State of Oregon Commission on Children and Families (OCCF).

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The JJAC Title II formula Grant was recently awarded to the Department of Community Justice in the amount of \$100,000, to be spent by February 28, 2010. The Notice of Intent to apply for this grant was approved by the Multnomah County Board of County Commissioners on January 29, 2009.

This budget modification requests approval to add a portion of the funding to DCJ's FY-2009 budget, in order to add a new 1.00 FTE effective June 1, 2009. This position will

continue into FY-2010 and is included in the FY-2010 Approved Budget.

Given the current data and trends, the primary goal of this grant is to reduce disproportionate minority contact of African American young men in the juvenile justice system. DCJ will use these funds to provide mentoring services to the most needed, and yet most underserved and difficult populations – gang-involved African American young men – who traditionally are unable to access and remain in standardized community programs because of their risk factors and challenging social skills. Most mentoring programs are not effectively serving the high-risk, gang-involved African American young men. The program provides a combination of individual and group pro-social activities that help youth develop academic and social skills within the structure and under the supervision of caring professional adults who serve as mentors.

This grant enhances FY-2009 program offer: 50013 - Juvenile Gang Resource Intervention Team (GRIT).

3. Explain the fiscal impact (current year and ongoing).

This budget modification includes revenue and expenditures covering the period of June 1, 2009 through June 30, 2009.

4. Explain any legal and/or policy issues involved.

It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age marital status, disability, political affiliations, sexual orientation, or any other nonmerit factor.

5. Explain any citizen and/or other government participation that has or will take place.

DCJ will recruit and train professionals in the African-American community to volunteer as mentors to the youth.

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**

DCJ's FY-2009 budget will be increased by \$7,296 in grant funding from the U.S. Department of Justice (USDOJ) which is administered and distributed by the State of Oregon Commission on Children and Families (OCCF).

- **What budgets are increased/decreased?**

Juvenile Services Division budget increases by \$7,296

Business Services budget increases by \$362

- **What do the changes accomplish?**

Acceptance and use of the JJAC Title II Grant.

- **Do any personnel actions result from this budget modification? Explain.**

Yes, a new 1.00 FTE is added effective June 1, 2009. This position will continue into FY-2010 and is included in the FY-2010 Approved Budget.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

This grant allows for central and departmental indirect expenses at the current rates established by Multnomah County.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

The grant funding is one time only with the possibility to reapply the following year if funding is made available.

- **If a grant, what period does the grant cover?**

June 1, 2009 through February 28, 2010. The total grant award is \$100,000. The FY-2009 amount is \$7,296 (1 month) and the FY-2010 amount is \$92,704 (8 months).

- **If a grant, when the grant expires, what are funding plans?**

There is the possibility for the grant to continue in subsequent years based on funding availability, as well as grantee's performance and compliance with the prior year's award conditions. If funding is not available and no alternative funding can be found the program will be scaled back to its original size.

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 17

Required Signatures

**Elected Official or
Department/
Agency Director:**

Shirley Ann for Scott Taylor

Date: 05/15/09

Budget Analyst:

[Signature]

Date: 05/05/09

Department HR:

[Signature]

Date: 05/04/09

Countywide HR:

[Signature]

Date: 05/05/09

Budget Modification ID: **DCJ-17****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	50-50	21047	50013	50			CJ026.OCCF.DMC	50190		(7,296)	(7,296)		IG-OP-Fed thru State
2	50-50	21047	50013	50			CJ026.OCCF.DMC	60000		4,351	4,351		Salary
3	50-50	21047	50013	50			CJ026.OCCF.DMC	60130		1,261	1,261		Fringe
4	50-50	21047	50013	50			CJ026.OCCF.DMC	60140		1,159	1,159		Insurance
5	50-50	21047	50013	50			CJ026.OCCF.DMC	60240		22	22		Supplies
6	50-50	21047	50013	50			CJ026.OCCF.DMC	60350		141	141		Central Indirect 2.07%
7	50-50	21047	50013	50			CJ026.OCCF.DMC	60355		362	362		Department Indirect 5.33%
8										0		0	Add OCCF JJAC Title II grant effective 6/1/09
9										0			
10	72-10	3500		20		705210		50316		(1,159)	(1,159)		Service Reimb, Insurance
11	72-10	3500		20		705210		60330		1,159	1,159		Claims Paid, Insurance
12										0			
13	19	1000		20		9500001000		50310		(141)	(141)		Incr CGF Reimb Rev
14	19	1000		20		9500001000		60470		141	141		Incr CGF Contingency Exp
15										0			
16	50-00	1000	50001	50		509600		50370		(362)	(362)		Incr Dept Indirect Revenue
17	50-00	1000	50001	50		509600		60170		362	362		Incr Prof Svc by Dept Indirect
18										0			
19										0			
20										0			
21										0			
22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
											0	0	Total - Page 1
											0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6022	64290	CJ026.OC CF.DMC	Program Coordinator	New	1.00	54,392	15,757	14,483	84,632
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						1.00	54,392	15,757	14,483	84,632

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6022	64290	CJ026.OC CF.DMC	Program Coordinator	New	0.08	4,351	1,261	1,159	6,771
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0.08	4,351	1,261	1,159	6,771

Position Effective 6/1/09, 1 month in FY-2009



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
501 SE Hawthorne, Suite 400
Portland, Oregon 97214
(503) 988-5015 Phone
(503) 988-3009 Fax

To: David Koch, DCJ – Juvenile Services Division (B311/1)
From: Candace Busby, Classification and Compensation Unit (503/4)
Date: May 4, 2009
Subject: Reclassification Request # 1251 (New - vacant)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: May 1, 2009
Current Classification: New
Job Class Number: N/A
Pay Grade: N/A

Position Number: New
Requested Classification: Program Coordinator
Job Class Number: 6022
Pay Grade: 25

Request is: ☒ Approved as Requested
☐ Approved - Revised

Effective Date: May 4, 2009

Allocated Classification: Program Coordinator
Pay Range: \$48,358.08 to \$59,445.36 annually

Job Class Number: 6022
Pay Grade: 25

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

☒ Vacant - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to reorganization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

This new position will coordinate the Culturally Specific Mentoring Program and collaborate with faith-based and other community organizations to develop and implement strategies/activities to achieve the program's goals. Essential functions include program planning and development; program oversight and facilitation; coordination with mentors and the community to identify potentially qualified mentors; and mentor training, monitoring and evaluation. These duties and responsibilities are consistent with the Program Coordinator (6022) classification.

If you have any questions, please feel free to contact me at 503-988-5015 ext. 24422.

cc: James Opoka, HR Manager
Lorraine Newell, HR Maintainer
Local 88
Class Comp File Copy



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-12 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-12
Est. Start Time: 10:45 AM
Date Submitted: 05/13/09

BUDGET MODIFICATION: DCHS - 35

BUDGET MODIFICATION DCHS - 35 Increasing Department of County
Agenda Human Service's Community Services Division Budget by \$26,988 for the
Title: Energy Services Program

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>May 21, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>County Human Services</u>	Division:	<u>Community Services</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>503-988-3691</u>	Ext.	<u>26858</u>
		I/O Address:	<u>167/6</u>
Presenter(s):	<u>Mary Li</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) recommends approval of budget modification DCHS- 35 to increase the Community Services Division's Energy Services Program fiscal year 2009 (FY09) budget by \$26,988.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

On January 1, 2009 Congress doubled the amount of funding to the State of Oregon. In turn the State passed these funds to DCHS' Community Services, Energy Services Program, program offer 251119, to be used for Energy Education (EE). The additional funds will be used to purchase energy kits to educate approximately 165-170 more households in energy saving ideas and available resources.

3. Explain the fiscal impact (current year and ongoing).

DCHS' Community Services, Energy Services Program budget will increase overall by \$52,000 through December 31st 2009, of fiscal year 2010. \$26,988 will be allocated and used by the end of

fiscal year 2009 to purchase supplies necessary for energy kits used to educate approximately 165 households between now and June 30, 2009. The remainder of \$25,012 will be used to help fund Energy Education in fiscal year 2010.

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer all of the following in detail:

- **What revenue is being changed and why?**

This budget modification increases Energy Service's, Program Offer 25119, Low Income Energy Assistance Program grant funding by \$26,988 for energy education.

- **What budgets are increased/decreased?**

DCHS' Energy Services Program Offer 25119, budget increases by \$26,988.

Department indirect revenue increases by \$450 and Service Reimbursement Federal/State to General Fund by \$538.

- **What do the changes accomplish?**

This increase will allow the Energy Services program to purchase energy kits to help educate an additional 165 – 170 homes on energy saving devices and resources.

- **Do any personnel actions result from this budget modification? Explain.**

N/A

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

Indirect costs are allowed by the grant and are included in this budget modification.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

This is a one-time-only additional allocation through December 31, 2009 to supplement ongoing functions within Energy Services.

- **If a grant, what period does the grant cover?**

The grant period is from January 1, 2009 to December 31, 2009.

- **If a grant, when the grant expires, what are funding plans?**

When the grant expires, services in the Energy Services program will be reduced.

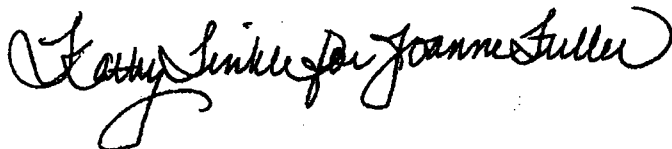
<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 35

Required Signatures

**Elected Official
or Department/
Agency Director:**



Date: 05/11/09

Budget Analyst:



Date: 05/13/09

Department HR:

Date:

Countywide HR:

Date:

Budget Modification ID: **DCHS-35 CS EE****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Item Order	Cost Center	WBS Element						
1	22-10	20732	25119	40			SCPCESRR.LIEAPWX.EE.AD	50190	0	(988)	(988)		IG-OP-Fed Thru St
2	22-10	20732	25119	40			SCPCESRR.LIEAPWX.EE.AD	60350	0	538	538		Central Indirect
3	22-10	20732	25119	40			SCPCESRR.LIEAPWX.EE.AD	60355	0	450	450		Department Indirect
4										0			
5	22-10	20732	25119	40			SCPCESRR.LIEAPWX.EE.PG	50190	0	(26,000)	(26,000)		IG-OP-Fed Thru St
6	22-10	20732	25119	40			SCPCESRR.LIEAPWX.EE.PG	60240	0	26,000	26,000		Supplies [energy kits]
7										0			
8	19	1000		20		9500001000		50310		(538)	(538)		Svc Reim F/S to General
9	19	1000		20		9500001000		60470		538	538		Contingency
10													
11	26-00	1000	25000	40			CHSDO.IND1000	50370		(450)	(450)		Dept. Indirect Revenue
12	26-00	1000	25000	40			CHSDO.IND1000	60240		450	450		Supplies
13										0			
14										0			
15										0			
16										0			
17										0			
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											0	0	Total - Page 1
											0	0	GRAND TOTAL



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-13 DATE 05/21/09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/21/09
Agenda Item #: R-13
Est. Start Time: 10:50 AM
Date Submitted: 05/13/09

BUDGET MODIFICATION: DCHS – 38

**BUDGET MODIFICATION DCHS-38 Increasing Aging and Disabilities
Services Division Federal/State Appropriation by \$15,000, in Additional Funding
Agenda of a One-Time Only Grant from the National Association of Area Agencies on
Title: Aging, Digital TV: Keeping Seniors Connected**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>May 21, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>County Human Services</u>	Division:	<u>Aging & Disabilities Services</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>(503) 988-3691</u>	Ext.	<u>26858</u>
	I/O Address:		<u>167/620</u>
Presenter(s):	<u>Mary Shortall</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) recommends approval of budget modification DCHS-38 for additional funding for a cost extension of a one time only grant from the National Association of Area Agencies on Aging (N4A) to increase Aging and Disability Services Division (ADSD) appropriation by \$15,000.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The National Association of Area Agencies on Aging implemented in January to April 2009, the "Digital TV: Keeping Seniors Connected" Campaign. The grant provides individualized assistance to older persons in order to help them effectively transition to digital programming. The project period has been extended to July 17, 2009.

The project funds are being used to conduct an on-the-ground, community-based campaign to ensure

that the most vulnerable older Americans who currently rely on over-the-air television signals are provided the education and one-to-one assistance needed to successfully make the conversion to digital programming. The project also provides individualized assistance to older persons in order to effectively transition to digital programming. Training and technical assistance are also being provided to staff and volunteers. This action impacts Program Offer #25020 - ADS Access & Early Intervention Services. The impact of the Digital TV grant is that ADS contracted with a provider to conduct more targeted outreach and provide assistance for vulnerable older adults.

3. Explain the fiscal impact (current year and ongoing).

ADS revenue will increase by \$15,000. This revenue is additional funding for a one time only grant and would increase the contract of ADS providers to conduct more targeted outreach and provide assistance to vulnerable older adults.

4. Explain any legal and/or policy issues involved.

There are no legal and/or policy issues associated with applying for this grant extension.

5. Explain any citizen and/or other government participation that has or will take place.

ADSD is currently working closely with key stakeholders that help educate seniors about the DTV transition. These funds will allow us to provide more hands-on support to eliminate technology barriers for seniors.

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**

Program offer #25020 – ADS Access and Early Intervention Services will receive \$15,000 in new revenue from the National Association of Area Agencies on Aging (N4A).

- **What budgets are increased/decreased?**

Pass-Through & Program Support budget within ADS Access and Early Intervention Services will increase by \$15,000.

- **What do the changes accomplish?**

This budget modification allows us to increase contract amounts with our providers. Pass-Through & Program Support budget will be increased.

- **Do any personnel actions result from this budget modification? Explain.**

No personnel actions result from this budget modification.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

Grant does not pay indirect.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

This is additional funding to a one-time-only special grant.

- **If a grant, what period does the grant cover?**

Fiscal Year 2009 (April-June 2009)

- **If a grant, when the grant expires, what are funding plans?**

There are no plans to continue funding when the grant expires.

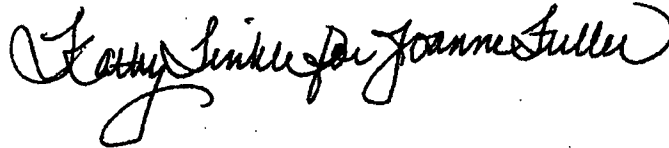
<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and /or a Budget Modification Personnel Worksheet.</i></p>
--

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 38

Required Signatures

**Elected Official
or Department/
Agency Director:**



Date: 05/12/09

Budget Analyst:



Date: 05/13/09

Department HR:

Date:

Countywide HR:

Date:

Budget Modification ID: **DCHS-38****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Cost Center	Accounting Unit	Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
							WBS Element						
1	30-45	32326	25020	40			ADSDIVCS201NTIA	50190	(25,000)	(40,000)	(15,000)		IG - OP Fed Thru St
2	30-45	32326	25020	40			ADSDIVCS201NTIA	60160	25,000	40,000	15,000		Pass-Through & Prog Sup
3													
4													
5										0			
6										0			
7										0			
8										0			
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